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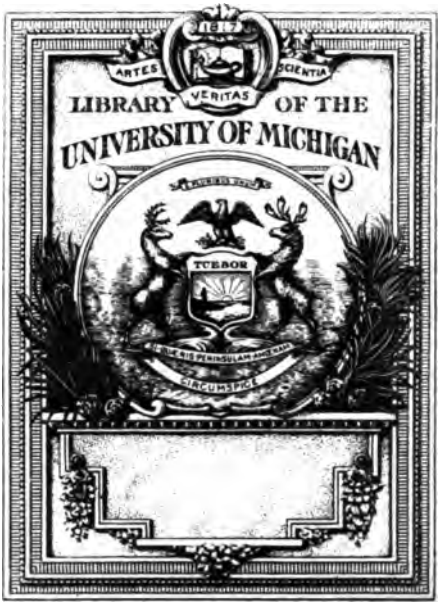
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Accordingly, on the 27th of January, COLONEL WARDLE rose for the purpose of making his promised motion, which he prefaced with the following address:—

SIR, I rise, in pursuance of a former notice, to submit to the House a motion, relative to the promotions in our army. Fully aware of the great importance of the subject which I am to bring forward, I must say I really feel myself somewhat inadequate to the task, and wish it had fallen into abler hands; but the ardent zeal I entertain for the service of the country, supported by facts incontrovertible, may enable me to rescue the military service from the baneful influence of corrupt practices.

To stand forth the public accuser of a man of such high rank as the Commander in Chief, may be deemed an arduous and presumptuous undertaking; however arduous and presumptuous it may be, nothing shall divert me from the performance of my duty; and I trust he will feel that, however high he may stand in point of rank or influence, the voice of the people, stated through their representatives, will prevail over corruption, and that justice will be done to a suffering nation. I can assure the House I have no other motive in view, than the honest one of rendering to our country a service. Feeling as I do, that, in matters like this, unless corruption be attacked, and attacked strongly too, this country will fall an easy prey to an inveterate enemy. I beg leave in the first instance to call the attention of the House to the establishment of the present Commander in Chief. The half-pay fund arises from the sale of the commissions of those officers, who are not themselves permitted to sell them, and of those who are dismissed from the service. The power which he has thereby acquired, is that of rewarding any meritorious officers, either by giving them any of those commissions, or applying the produce of them to the reduction of the half-pay list, or in aid of the compassionate fund. These I believe are all the powers which a Commander in Chief has ever been presumed to possess over those funds. If then I can prove that commissions so becoming vacant have been sold, and the money applied to very different purposes, I shall then establish this one fact, at least, that the plan upon which this fund had originated, has been totally abandoned. It is evident, that in cases such as those I shall name, merit has not received its reward; that the half-pay list has not been reduced, and that the compassionate fund has not been conducted on its original footing. However much I may feel repugnant at taking

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Clarke. This 500*l.* I shall be able to prove was paid by Mrs. Clarke to Mr. Perkins, a silversmith, in part payment for a service of plate, that the Commander in Chief made good the remainder, and that the goods were sent to his house in Gloucester-place. From this I infer, first, that Mrs. Clarke possesses the power of military promotion; secondly, that she received a pecuniary consideration for such promotion; and thirdly, that the Commander in Chief was a partaker in the benefit arising from such transactions. In this case, there are no less than five different persons who can be called as witnesses, viz. Major Tonyn, Mrs. Clarke, Mr. Donovan, Captain Sandon, and the executor of Mr. Perkins, the silversmith.

The next instances I shall give, are those of Lieutenant Colebrooke, of the 56th Regiment, and Lieutenant Knight, of the Dragoon Guards. A Mr. Tuck, a medical gentleman, it appears, was concerned in the first of these transactions, for it was agreed between him and Mrs. Clarke, that she should receive 200*l.* upon Lieutenant Colebrooke's name appearing in the Gazette for promotion. At that moment, it appears, this lady was anxious to go on an excursion into the country, and she stated to his Royal Highness, that she had an opportunity of getting 200*l.* to defray the expences of it, without applying to him. This was stated upon a Thursday, and on the Saturday following this officer's name appeared in the Gazette, and he was accordingly promoted, upon which Mr. Tuck waited on the lady and paid her the money. To this transaction, therefore, I can call as witnesses, Lieutenant Colebrooke, Mr. Tuck, and Mrs. Clarke. Without stating the particulars of the other case I have alluded to, I shall content myself with mentioning one of a very different nature, which occurred within these eight or ten months, and that I do it for the purpose of shewing how very difficult it was, in many instances, for officers of the highest merit to be allowed the smallest indulgence in regard to change. Two officers of the 1st Regiment of Foot, Major Macdonald and Major Sinclair, who are generally acknowledged to be officers of merit, happening to be both in a bad state of health, Major Macdonald was ordered to join his regiment in the West Indies; but being sensible that the climate would prove injurious to him, and Major Sinclair having been in the West Indies, where he had enjoyed his health much better than here, they mutually agreed to apply for an exchange. Application was accordingly made to the Commander in Chief, and it was urged as strongly as possible; every thing was attempted, but in vain; the Commander in Chief ordered Major Macdonald to go to the West Indies, where he soon fell a victim to the climate; and he forced Major Sinclair to remain at home, where his health became worse, and he died. These officers, it appeared, had offered no bribe of 200*l.*, and therefore they were obliged to combat stations, which caused the termination of their existence. The next instance is that of Major John Shaw, who was upon the full pay in Champagny's Regiment. He

applied

Mrs. Clarke was interested and concerned in army promotions. I am now to come to those transactions of a similar nature, wherein the Commander in Chief appears to have been alone concerned. I am prepared to prove that the Commander in Chief was to have a loan from Colonel French, through Mr. Grant, of Barnard's Inn, on account of his promising to use his influence to procure a considerable sum of money which was due to that officer. That the Commander in Chief did use his influence to get payment of these arrears is evident; but it is also evident, that he did not succeed, and, therefore, he did not receive the loan promised. There was no less than 3000*l.* due to Colonel French from Government. From these bases I think it will plainly appear, that not only did Mrs. Clarke possess influence to procure promotions, to effect exchanges, the power of augmenting the military establishment of the country, and that she was allowed to receive pecuniary remunerations for her interference; but also, that the Commander in Chief endeavoured to procure pecuniary resources to himself, both in conjunction with, as well as independently of, Mrs. Clarke. I shall now allude to another case, namely, that of Captain Maling, of the 73d Regiment. He was appointed a Captain in the Royal African corps, upon the 15th of January, 1808; that corps being commanded by Col. Gordon, the Duke of York's Secretary. I believe that Captain Maling is a perfectly meritorious officer; I have not the honour of knowing him, but I have heard him highly spoken of. I understand he had the good fortune to get his first commission in 1806, when he was a clerk in Mr. Greenwood's office, without one hour's military service, and soon afterwards was appointed to a company in Ireland. In the space of three years, he has been put over the heads of all the subalterns in the army, *many hundreds* of whom, in addition to their long service, and the wounds they have received in their country's cause, had actually lodged their money for promotion. Whether this is doing justice to the military service of the nation, I leave to gentlemen to judge; but I trust I have stated a sufficient number of cases, to induce the House to give me permission to appoint a Committee for inquiring into such gross and scandalous abuses. Before concluding, however, I may advert to this other very extraordinary circumstance, that I can tell Gentlemen, that, of my own knowledge, at this very hour there is a public office in the city, where commissions are still offered at the reduced prices which Mrs. Clarke chooses to exact for them. The agents there have declared to me, that they are now employed by the present favourite Mrs. Carey. They have not only declared this as relative to military commissions, but they have carried it much farther; for, in addition to commissions in the army, places of all descriptions, both in CHURCH AND STATE, are transacted at their office; and these agents do not hesitate to give it under their own hands, that they are employed by many of the first Officers in His Majesty's service. To conclude, I trust, that after the statement I have made *no man who has heard me will think* that I have taken up this matter

matter lightly. I have pressed it upon sure grounds, and am prepared to prove these assertions; and in order that they may be investigated and inquired into, I beg leave to move, "That a Committee be appointed to investigate the conduct of his Royal Highness the Duke of York, in his capacity of Commander in Chief, with regard to appointments, promotions, exchanges, the raising of new levies, and the general state of the army."

Sir F. Burdett seconded the motion.

The Secretary at War said he did not rise to give any opposition to the motion, at least to any fair and reasonable extent to which the proposition might be thought necessary. The hon. gentleman had, in a very candid manner, brought forward facts of the most important kind, and in their consequences most serious and weighty. He conceived the House would readily acquiesce in going into an inquiry of the facts which had then been brought forward, or any other facts which the hon. gentleman might still intend to produce hereafter; but as to a general inquiry into the conduct of the Commander in Chief, he would not agree. He was certain that illustrious personage was ready to go into a full investigation of these charges. As to the half-pay list, he had already stated, on former occasions, that it had been most extensively and materially benefited by the Commander in Chief, who had voluntarily resigned a very extensive patronage, in order that the sale of the commissions might be brought in aid of the Compassionate Fund, by which that fund had been greatly increased. With respect to the barrack department, he thought it proper just to state, that it was not within the patronage of his Royal Highness the Duke of York. He wished also to observe, that the manner in which the army had been fitted out, which was lately sent to Portugal, was a very striking mark of the superior military talents of the Duke of York, and a strong proof of his great attention to and regard for that army, and of course militated against the truth of charges, which, if founded in truth, must strike at its discipline, and, through that, at its very existence. His right hon. friend near him (Sir A. Wellesley), who had so lately commanded that army, would readily tell the state in which he found it; and great as his right hon. friend's talents were for inspiring his soldiers with spirit, and activity, he could not have speedily instilled into them the noble energies of which they had given such unequivocal and brilliant proofs, if they had previously been under such inattention to, and neglect of discipline as these charges held out. The spirit of promotion, which had been infused into the army by the Commander in Chief, and which throve so well under his auspices and nourishment, together with the extreme regularity, order, and arrangement, which he had introduced into every military department, had done every thing for the army, and evinced that he had ever been actuated by the greatest zeal and anxiety for its honour and its interests,—whereas, *the charges, if true*, would make him one of *its most inveterate enemies.* He thought it necessary to make

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The establishment to which I allude, took place in the year 1803, when his Royal Highness the Commander in Chief took a handsome house, set up a full retinue of servants and horses, and also a lady of the name of Clarke. I trust the House will excuse me for stating such facts as these, and also for mentioning a variety of names of parties concerned in each of them, my intention being, that it shall be impossible for any individual to say, that I have taken up this matter on slight grounds.

The first instance I shall state is that of Captain Tonyn, of the 48th Regiment, who was promoted to the Majority of the 31st Regiment, on the 2d of August, 1804, and whom I believe to be a very meritorious officer, and one as deserving of promotion as any man whatever. I mean to throw out no reflection on individuals, but merely to state cases as they have been stated to me. Captain Tonyn having remained a great many years without promotion, though no man had a better claim to it, he being the son of a very experienced general, might have purchased a commission, had he thought proper; but it so happened, that this Captain Tonyn was introduced by Captain Sandon, of the Royal Waggon Train, to this Mrs. Clarke, and it appears it was agreed, that, upon his being promoted to the Majority of the 31st Regiment, he should pay her 500*l.* In transactions of this nature, from inquiries I have made, I find it was usual for the money to be paid into the hands of a third party, and made payable to the order of the party who was ultimately to receive it. The agent, in this instance, was a Mr. Donovan, surgeon, in Charles Street, St. James's Square; and, as I shall have occasion to take particular notice of this individual, I shall take the liberty of stating who and what he was. I find, that in the year 1802, he was appointed a Lieutenant in the 4th Royal Garrison Battalion, and afterwards removed and promoted to another of the garrison battalions. Now, Sir, I have endeavoured to find out what military services this gentleman performed, that could entitle him to hold any such commission, but have been able to find none. It is an extraordinary circumstance, that from his first appointment, down to this present hour, it appears he has never been near his regiment, but that he has a perpetual leave of absence. When the House knows the reason for this person being resident in London, they will not be at all surprised at his being allowed a constant leave of absence; besides this, it appears that during the American war, he enjoyed an appointment upon the medical staff, and still continues to form a part of it. The 500*l.* which I have mentioned to have been lodged with this Mr. Donovan, by Capt. Sandon, was paid by him to Mrs. Clarke. The difference between a company and a majority is 1,100*l.*; this lady received only 500*l.*, while the half-pay fund lost the whole sum, for the purpose of putting 500*l.* into the pocket of Mrs. Clarke.

Clarke. This 500*l.* I shall be able to prove was paid by Mrs. Clarke to Mr. Perkins, a silversmith, in part payment for a service of plate, that the Commander in Chief made good the remainder, and that the goods were sent to his house in Glouces.er-place. From this I infer, first, that Mrs. Clarke possesses the power of military promotion; secondly, that she received a pecuniary consideration for such promotion; and thirdly, that the Commander in Chief was a partaker in the benefit arising from such transactions. In this case, there are no less than five different persons who can be called as witnesses, viz. Major Tonyn, Mrs. Clarke, Mr. Donovan, Captain Sandon, and the executor of Mr. Perkins, the silversmith.

The next instances I shall give, are those of Lieutenant Colebrooke, of the 56th Regiment, and Lieutenant Knight, of the Dragoon Guards. A Mr. Tuck, a medical gentleman, it appears, was concerned in the first of these transactions, for it was agreed between him and Mrs. Clarke, that she should receive 200*l.* upon Lieutenant Colebrooke's name appearing in the Gazette for promotion. At that moment, it appears, this lady was anxious to go on an excursion into the country, and she stated to his Royal Highness, that she had an opportunity of getting 200*l.* to defray the expences of it, without applying to him. This was stated upon a Thursday, and on the Saturday following this officer's name appeared in the Gazette, and he was accordingly promoted, upon which Mr. Tuck waited on the lady and paid her the money. To this transaction, therefore, I can call as witnesses, Lieutenant Colebrooke, Mr. Tuck, and Mrs. Clarke. Without stating the particulars of the other case I have alluded to, I shall content myself with mentioning one of a very different nature, which occurred within these eight or ten months, and that I do it for the purpose of shewing how very difficult it was, in many instances, for officers of the highest merit to be allowed the smallest indulgence in regard to change. Two officers of the 1st Regiment of Foot, Major Macdonald and Major Sinclair, who are generally acknowledged to be officers of merit, happening to be both in a bad state of health, Major Macdonald was ordered to join his regiment in the West Indies; but being sensible that the climate would prove injurious to him, and Major Sinclair having been in the West Indies, where he had enjoyed his health much better than here, they mutually agreed to apply for an exchange. Application was accordingly made to the Commander in Chief, and it was urged as strongly as possible; every thing was attempted, but in vain; the Commander in Chief ordered Major Macdonald to go to the West Indies, where he soon fell a victim to the climate; and he forced Major Sinclair to remain at home, where his health became worse, and he died. These officers, it appeared, had offered no bribe of 200*l.*, and therefore they were obliged to combat stations, which caused the termination of their existence. The next instance is that of Major John Shaw, who was upon the full pay in Champagny's Regiment. He

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applied for the office of Deputy Barrack-Master-General, at the Cape of Good Hope, Dec. 3d, 1806, and in that appointment Mrs. Clarke's interference will be strongly exemplified. The Commander in Chief had no favourable opinion of this Major Shaw; but we find that officer consented to give Mrs. Clarke 1000*l.* for this appointment, and he was accordingly Gazetted, April 3, 1807; soon after that, it appears, that this gentleman, in compliance with his obligation to pay that bribe, sent several sums of money to Mrs. Clarke, amounting in all to 500*l.*—She applied in vain for the remainder, which, owing to some embarrassments, he was not able punctually to pay. When she found that he was not competent to fulfil his engagement, she complained bitterly of this breach of contract to the Commander in Chief, who, feeling for her situation, was much enraged, and immediately for this *breach of contract*, put Major Shaw upon half-pay. I have in my possession a letter from Major Shaw, complaining violently of this conduct, and there are also several letters written by Mrs. Shaw, (his wife) to this Mrs. Clarke, threatening her and the Commander in Chief with a public exposure. I believe the staff in America, are all in the same predicament; and, indeed, I know but of one instance of any officer having been put on full pay.

I think this shews that Mrs. Clarke's influence extended to the staff abroad, as well as to the army at home, and that the Commander in Chief countenanced this individual, and rendered himself a direct party to her transactions, by putting an officer on half-pay, for breach of his bargain with her.

The next case relates to a levy made under the direction of Colonel French, in the years 1804 and 1805; this levy was set on foot by this same lady Mrs. Clarke.

Colonel French was introduced to her by Captain Sandon, and it was agreed between her and that Colonel, that she should have a given sum out of the bounty on each man raised, besides the patronage of a certain number of officers, in consideration of the assistance she was to afford Colonel French in his promotion. This agreement she made known to the Commander in Chief, and afterwards sent the Colonel to the Horse Guards, and he obtained his object. As this levy proceeded, she received several sums of money through the hands of French, Sandon, and a Mr. Corri, also one of her agents, all of whom can be brought as witnesses to this transaction. There was one sum of 500*l.* which she received from Mr. Corri, and which was paid through the hands of another agent, a Mr. Cockayne, a solicitor, in Lyon's Inn. Mr. Donovan, whom I have mentioned as a Lieutenant of the Royal Garrison Battalion, was the agent who gave in writing, to the parties applying for promotion, a statement of the prices which Mrs. Clarke asked for what she had to sell. The half-pay prices appear to have been, for a majority, 900*l.*; a company, 700*l.*; a lieutenancy, 400*l.*; and an ensigncy, 200*l.*. The full-pay prices were, for a majority, 2,600*l.*; a company, 1,500*l.*; a lieutenancy, 550*l.*; and an ensigncy, 400*l.* Thus far it appears that

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Mrs. Clarke was interested and concerned in army promotions. I am now to come to those transactions of a similar nature, wherein the Commander in Chief appears to have been alone concerned. I am prepared to prove that the Commander in Chief was to have a loan from Colonel French, through Mr. Grant, of Barnard's Inn, on account of his promising to use his influence to procure a considerable sum of money which was due to that officer. That the Commander in Chief did use his influence to get payment of these arrears is evident; but it is also evident, that he did not succeed, and, therefore, he did not receive the loan promised. There was no less than 3000*l.* due to Colonel French from Government. From these bases I think it will plainly appear, that not only did Mrs. Clarke possess influence to procure promotions, to effect exchanges, the power of augmenting the military establishment of the country, and that she was allowed to receive pecuniary remunerations for her interference; but also, that the Commander in Chief endeavoured to procure pecuniary resources to himself, both in conjunction with, as well as independently of, Mrs. Clarke. I shall now allude to another case, namely, that of Captain Maling, of the 73d Regiment. He was appointed a Captain in the Royal African corps, upon the 15th of January, 1808; that corps being commanded by Col. Gordon, the Duke of York's Secretary. I believe that Captain Maling is a perfectly meritorious officer; I have not the honour of knowing him, but I have heard him highly spoken of. I understand he had the good fortune to get his first commission in 1806, when he was a clerk in Mr. Greenwood's office, without one hour's military service, and soon afterwards was appointed to a company in Ireland. In the space of three years, he has been put over the heads of all the subalterns in the army, *many hundreds* of whom, in addition to their long service, and the wounds they have received in their country's cause, had actually lodged their money for promotion. Whether this is doing justice to the military service of the nation, I leave to gentlemen to judge; but I trust I have stated a sufficient number of cases, to induce the House to give me permission to appoint a Committee for inquiring into such gross and scandalous abuses. Before concluding, however, I may advert to this other very extraordinary circumstance, that I can tell Gentlemen, that, of my own knowledge, at this very hour there is a public office in the city, where commissions are still offered at the reduced prices which Mrs. Clarke chooses to exact for them. The agents there have declared to me, that they are now employed by the present favourite Mrs. Carey. They have not only declared this as relative to military commissions, but they have carried it much farther; for, in addition to commissions in the army, places of all descriptions, both in CHURCH AND STATE, are transacted at their office; and these agents do not hesitate to give it under their own hands, that they *are employed* by many of the first Officers in His Majesty's service. To conclude, I trust, that after the statement I have made *no man who has heard me* will think that I have taken up this matter

matter lightly. I have pressed it upon sure grounds, and am prepared to prove these assertions; and in order that they may be investigated and inquired into, I beg leave to move, "That a Committee be appointed to investigate the conduct of his Royal Highness the Duke of York, in his capacity of Commander in Chief, with regard to appointments, promotions, exchanges, the raising of new levies, and the general state of the army."

Sir F. Burdett seconded the motion.

The Secretary at War said he did not rise to give any opposition to the motion, at least to any fair and reasonable extent to which the proposition might be thought necessary. The hon. gentleman had, in a very candid manner, brought forward facts of the most important kind, and in their consequences most serious and weighty. He conceived the House would readily acquiesce in going into an inquiry of the facts which had then been brought forward, or any other facts which the hon. gentleman might still intend to produce hereafter; but as to a general inquiry into the conduct of the Commander in Chief, he would not agree. He was certain that illustrious personage was ready to go into a full investigation of these charges. As to the half-pay list, he had already stated, on former occasions, that it had been most extensively and materially benefited by the Commander in Chief, who had voluntarily resigned a very extensive patronage, in order that the sale of the commissions might be brought in aid of the Compassionate Fund, by which that fund had been greatly increased. With respect to the barrack department, he thought it proper just to state, that it was not within the patronage of his Royal Highness the Duke of York. He wished also to observe, that the manner in which the army had been fitted out, which was lately sent to Portugal, was a very striking mark of the superior military talents of the Duke of York, and a strong proof of his great attention to and regard for that army, and of course militated against the truth of charges, which, if founded in truth, must strike at its discipline, and, through that, at its very existence. His right hon. friend near him (Sir A. Wellesley), who had so lately commanded that army, would readily tell the state in which he found it; and great as his right hon. friend's talents were for inspiring his soldiers with spirit, and activity, he could not have speedily instilled into them the noble energies of which they had given such unequivocal and brilliant proofs, if they had previously been under such inattention to, and neglect of discipline as these charges held out. The spirit of promotion, which had been infused into the army by the Commander in Chief, and which throve so well under his auspices and nourishment, together with the extreme regularity, order, and arrangement, which he had introduced into every military department, had done every thing for the army, and evinced that he had ever been actuated by the greatest zeal and anxiety for its honour and its interests,—whereas, the charges, if true, would make him one of its *most inveterate enemies*. He thought it necessary to make

these few observations as to what he knew of the conduct of the illustrious personage in question: and, having done so, would not trespass further on the time of the House, than to say he was very happy the hon. gentleman had brought them forward, as he was sure the Commander in Chief wished nothing more earnestly than that they might be fairly and fully investigated.

Sir A. Wellesley said, he rejoiced sincerely that the hon. gentleman had brought forward certain facts on which a Committee might be able to judge. His right hon. friend had said, that he was able to speak as to his knowledge of the army he had lately commanded, with respect to its discipline, and also as to the character and conduct of the Commander in Chief. He could truly answer, that it had fallen to his lot to know particularly how promotions were made, and that such an advancement in the army never took place without the names being produced, by whom recommended, and the sums ascertained which were paid for the same. There was also a correspondence, shewing how the money was brought in that was intended for the half-pay Fund, and what sums went out of it. He rejoiced, therefore, at the statement of facts alleged, and then brought forward.

With respect to the removal of the Deputy Barrack-Master-General at the Cape of Good Hope, he believed, and indeed knew, it was a case that frequently occurred, and that Staff-Officers, not on full pay at the time they were appointed, must go on half-pay; those who happen to be on full pay at the time appointed, remained on full pay; but those only on half-pay must remain so. He did not know that this was the case in the instance then alluded to by the hon. gentleman, but he mentioned these circumstances because it might happen to be so; and if it were, the usage of the service would account for it, and shew that it was no fault nor partiality in the Commander in Chief. As to the case of the two Officers in the West Indies (Major Macdonald and Major Sinclair) to whom the hon. gentleman had alluded, he thought it would be putting the Commander in Chief into a very severe and invidious predicament indeed, if, because he would not consent to any particular exchange which might have suited the private convenience or interests of those two individuals, that he should, therefore, be liable to the charge of their deaths. This would be carrying his responsibility for events not depending on himself a great length indeed, and never could be thought reasonable. If, indeed, general charges were to be brought forward and countenanced against persons filling so high and important a station as that of Commander in Chief, it would, he feared, become very difficult to prevail on persons of the elevated rank of the illustrious person in question, to accept an office of such extraordinary and extensive responsibility. It would appear from the statement of the alleged facts, that with a view to save money from going out of his own pocket, the Commander in Chief had connived at, or authorised the sale of Commissions, the emoluments of which went into the coffers of his favourites, to the great detriment and injury of the

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Compassionate Fund. This seemed to be most contradictory of every principle of reason, or even probability. The Compassionate Fund actually originated with the Commander in Chief, who gave up voluntarily, and most liberally and generously, a very extensive patronage, in order that the Commissions so within his gift might be sold, and added to the Compassionate Fund, in order to exonerate the half-pay list. If he had wished to make use of these for corrupt ends, nothing could be further from his purpose than the mode he had adopted. He coincided perfectly with his right hon. friend (the Secretary at War,) and should deem himself greatly deficient in duty, as well as justice, should he omit to speak of the state of the army so lately under his command in Portugal, and whose gallant achievements had so recently received the thanks of the House. He really believed there never had been an army in a higher state of discipline, from the Staff down to the meanest soldier in the ranks; and if the army had not performed the feats, and acquired the glory and the reward of the thanks it had received, the fault would not have been imputable to the Commander in Chief, but to himself (Sir Arthur) only. He thought so much from him was due to the Commander in Chief, to whose superior military talents and unremitting zeal and assiduity, the high state of discipline which our army could now boast, was certainly to be attributed. Having made these observations, he should certainly vote for an enquiry.

Mr. Yorke said, he agreed with both the right hon. gentlemen who had just spoken, as to the importance of the charge, and that it was highly deserving the attention of the House. He believed there was never a charge of greater magnitude brought before it; nor had any hon. member ever before taken upon him to bring forward alleged facts at once so serious, and so weighty in themselves, and in their consequences. He was very sorry to observe, it had lately been the misfortune of this country, to have been inundated with the most shameful, scandalous, and atrocious libels against this illustrious character, and others of his august family. That such should have been the case, was, in his opinion, highly disgraceful to the country; and he was happy to find that the matter had at length been brought into a tangible shape, and he hoped the hon. gentleman would proceed with his facts, and endeavour to prove the very serious and important charges which he had thus undertaken to do. He had for some time past viewed with the deepest concern, the continued and repeated current of scurrility which had been poured forth against various branches of the Royal Family; and he could not, from the whole complexion of it, consider it in any other light than as a vile conspiracy against the illustrious House of Brunswick. [*A loud cry of Hear! Hear! from all parts of the House.*] It had for some time past been thought by many, and said by some, that the Jacobinical spirit which some years ago so unfortunately pervaded many parts of this country, was in a great degree allayed and diminished, if not altogether *annihilated. He believed*, however, that where a

spirit of Jacobinism had once taken root, it would never be wholly subdued or eradicated; and when he reflected on the numerous infamous libels which had lately appeared, he could not but consider them as the engines of a conspiracy devoted to those purposes [*Hear! hear! hear!*]; conducted, it was true, against his Royal Highness the Commander in Chief, but actually intended against the whole family and establishment. [*Hear! hear! hear! from all sides.*] Write down the Commander in Chief, continued the right hon. gentleman, and you eventually attack and wound the whole. This he believed verily to be the aim and end in view of these perturbed spirits. He was, therefore, decidedly in favour of an immediate inquiry, and if blame there was, there let the punishment fall; but when it was considered who this illustrious personage is, against whom these facts have been alleged, how nearly he is related to the Crown, how much praise he merited for his unremitting attention to the army, and its most vital interests, to which the right hon. General had just before so forcibly borne testimony, and thereby recorded; he thought, that merely a commission would not be sufficient to investigate a matter of this important nature; but that, when the honour of a branch of the Royal Family was so deeply concerned, and so strongly assailed, the House should take up the matter on a higher ground, and on a broader basis, and pass an Act of Parliament for a Special Commission, empowering them to examine persons who were brought as witnesses on their oaths. This being the impression on his mind, he should not have thought he had done his duty, if he had not thrown it out for the consideration of the House, at least; and no less grave and solemn mode of investigation, appeared to him to be properly adapted to the subject.

Sir Francis Burdett said, he thought it was impossible any gentleman could have a different feeling upon this subject from what had so forcibly been expressed by all those hon. members who had delivered their sentiments on the subject, and particularly those of the right hon. gentleman who had just sat down. For his own part, he had heard so many stories in circulation, which he had never had the smallest doubt were calumnies, that without knowing any thing more of the motion than what he had heard from the hon. gentleman who brought it forward, and of his intention so to do, he had agreed to second it. He could have no other reason for doing this, than a sincere wish that these stories should be fairly brought to the test of investigation before so serious, so honourable, and so competent a tribunal as the House of Commons, and there receive that judgment and decision which he had no doubt would be highly honourable to the character of the illustrious Personage who had been so vehemently assailed by them. The right hon. gentleman had expressed his opinion, that the several gross libels which have appeared against the Commander in Chief, are so many indications to him that a conspiracy exists at this moment against the whole establishment. Where the right hon. gentleman could obtain his information, he

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(Sir Francis) could not tell; but for his own part he could never suppose that in this country, where discussion was allowed, such publications as those alluded to naturally or fairly led to any such inference or deduction. It had ever been the case that public characters, even in the highest rank, had, from time to time, been liable to the attacks of falsehood and misrepresentation. That it should have been so, or that it was so at the present period, he allowed was much to be regretted: but there was one consolation, at the same time, in reflecting that such weak efforts of envy or malignity were easily traced, and when found out, might and ought to be exemplarily punished. He had no doubt but that the falsehood and malice of the libels alluded to by the right hon. gentleman would, on the present occasion, meet the fate they merited. He knew no way in which they had a chance of doing so, which appeared to him so certain, or so speedy, as an investigation of, and inquiry into, the present charges; and he was happy to find that the right hon. gentlemen opposite to him, were of the same opinion.

Mr. Adam said, he gave way to the hon. Baronet, in order that he might have an opportunity of shewing, as he had done, with so much coolness, candour, and politeness, the motives which induced him to second the present motion. He was extremely glad he had done so, as the whole of the hon. Baronet's sentiments had been delivered in a manner highly honourable to him. His chief reason for offering himself to the House, on the present question, was for the purpose of stating what he thought would be the most desirable method of proceeding in the present case. In forming the opinion he was about to deliver to the House, he looked only to the principles of the British Constitution, and the invariable end of its justice; viz. that from the highest subject to the lowest, every person accused must be taken to be innocent, till proved to be guilty. With respect to all those alleged facts, which the hon. gentleman had then brought forward in a very candid manner, he had not the smallest doubt, however the hon. gentleman might have been induced to give credence to their truth or probability, it would ultimately turn out, on a proper investigation, that they are founded in falsehood and misrepresentation. With respect to money, there were some circumstances in the transactions which positively forbid him from believing them possible to attach to his Royal Highness the Duke of York. He had been more than twenty years, not professionally, but gratuitously, in the service of the Duke of York; and he assured the House, he did not mention this from any vain boast of being so honoured with the confidence of that illustrious Person; but from motives of justice he thought it his duty to declare, that he had ever received the most unbounded confidence from his Royal Highness as to all his pecuniary affairs, and there had never been one of his embarrassments which the Duke of York had ever concealed from him. He used the word embarrassments, because they had been *made known* even to Parliament. On the accuracy

accuracy of his memory in this respect, he could positively and firmly rely, and could truly say, that he never heard of any loan which he wished, or attempted to negociate with any individual whatever, that was not grounded on as fair and honourable terms as a loan of the Duke of Bedford, the Duke of Northumberland, or any other nobleman could be, who had occasion at any time to raise money for any particular or special purpose. He was, therefore, an advocate for the inquiry, and should be happy that the five facts, or alleged facts, which had been stated by the hon. gentleman, should be speedily inquired into. He would also wish to have this done in as public a manner as possible; for publicity was what he aimed at, as much as his right hon. friend on the floor (Mr. Yorke); but he would not wish with him, that an Act of Parliament should be passed to obtain this desirable end. He would not have the House give up its inquisitorial power; but to obtain that publicity which was so much desired, and was in fact so necessary for the due investigation of this important business, it was his advice that it should take place in a Committee of the whole House, where every member would be a witness to it, and every circumstance would be fully inquired into. The great object was the mode of inquiry, and his decided opinion was in favour of a Committee of the whole House.

Mr. Wilberforce thought, that situated as the House was as to party-spirit, a Committee of the whole House would not be that mode of investigation which would best be adapted to that impartiality which a charge of this high importance required. He considered the judicial power of the House in this way, as very defective, and should prefer the mode proposed by the right hon. gentleman (Mr. Yorke) as preferable, because it would enable the Committee to be appointed to examine witnesses on oath, which would give the evidence a weight in the eye of the public and of the world, which the other would not do. It had been done on former occasions, and he thought this as important a case as had ever occurred, and as much entitled to such a mode of proceeding. His Royal Highness's rank, the delicacy of his honour, and the splendor of his connections require, that if put on his trial, it ought to be taken upon its real merits, and investigated in so serious a manner, as to shew the House were in earnest; that the enquiry should be on the most extensive scale, and that they were determined to do justice, which would best be done by examining witnesses on oath. It was well known, the eyes of all Europe was then fixed on the deliberations of the House, and it behoved them to act in the most grave and decisive manner. He would, therefore, prefer a Parliamentary Commission, with power to examine witnesses on oath.

The Chancellor of the Exchequer said he was decidedly in favour of an inquiry into these most important charges, but was inclined to prefer the mode proposed by his hon. friend (Mr. Adam) of a Committee of the whole House, as best adapted to *the occasion*, and most likely to obtain a full investigation and speedy

speedy decision. He owned he was aware of the extreme inconvenience which such investigations produce to the House, as had been well observed by his hon. friend behind him (Mr. Wilberforce), of protracting the business, both public and private; but if there was a case that required that all inconveniences should give way to it, this was unquestionably that case. The hon. gentleman who brought forward the motion, had stated, that the agency of the office he had mentioned, extended to situations in Church and State, as well as the Army, and that two great officers in his Majesty's present Councils were privy to this office. He would, therefore, wish the hon. gentleman to name every thing which could lead to the fullest investigation. If he had any delicacy in mentioning the names of those agents publicly, it might be privately done. He wished him also to name the two persons in high situations, and he would give him every assistance to arrive at the truth. Publicity had been mentioned as desirable: he was decidedly of that opinion, which he thought would be best had by a Committee of the whole House.

Mr. Wardle said, he had no objection to give every degree of information of which he was possessed. The office was in a court out of Threadneedle-street. One of the agent's names was Delop, and he thought the other was Warren. The two great officers who had been mentioned were, the Chancellor and the Duke of Portland. There were a variety of places for sale, some in Jamaica, and some in England. He did not wish to keep back any thing, but was willing to give all further information in his power.

The Chancellor of the Exchequer wished the hon. gentleman would inquire further into the affairs of the office with regard to promoting exchanges and appointments in the Army, and particularly of raising loans. He concluded by moving, that the Committee be a Committee of the whole House.

Lord Folkstone objected to this, as taking the mode of proceeding out of the hands of the hon. gentleman—a proceeding, of which he had on a former occasion loudly complained. Either method proposed would be better than this; but he would prefer a Select Committee.

Mr. Secretary Canning was surprised at the objection of the noble lord, when the hon. gentleman himself had made none to the Committee of the whole House, proposed by his right hon. friend, and which he coincided perfectly with him was the most desirable. He expressed his highest admiration of the conduct of the hon. gentleman in bringing forward these charges, if his motives were purely patriotism and the public welfare; but it was not to be disguised, that when this charge was once brought forward, it must some how or other, be brought to a conclusion, and he begged him to recollect, that ignominy and infamy must attach somewhere. He agreed with his right hon. friend, (Mr. Yorke) that he was glad this matter had been brought forward in a tangible shape, and that *there had been a degree* of calumny the most extensive.

tensive and the basest, and attended with a brutality of insult, which would almost make one regret the liberty of the press, if it were not at the same time recollected, that the evil was transient, while the good was perpetual and immortal; but he must have a heart torpid and stony indeed, who did not feel the cowardice of those infamous attacks. The charge had been public; he hoped the acquittal would be as public, and would speedily ensue.

Mr. Whitbread said, he had a very few observations to make, for he agreed with both the right hon. gentlemen opposite to him, as to the propriety of a Committee of the whole House. He thought, however, the right hon. secretary, who had just sat down, had gone a little out of his way in addressing his hon. friend who had brought forward this motion, in the way he had done. For his part, he thought the Duke of York was obliged to his hon. friend for bringing forward this charge, and was somewhat surprised the right hon. secretary could for a moment doubt the blessings of the liberty of the press, when he confessed the evil was so venial in comparison of the good; but if there had been published that brutality of insult in libels against the Duke of York, of which the right hon. secretary so loudly complained, where were the law officers of the crown, and how came they so to have slumbered over their duty as not to have prosecuted? The libels alluded to were anonymous, on which a right hon: gentleman (Mr. Yorke) had formed an idea of a conspiracy; but his hon. friend had not been anonymous; he came forward fairly and honourably to make charges, which he had been led to believe were true. And though he had not a shadow of doubt the illustrious Commander in Chief would be found innocent of all the calumnies charged on him, yet if he be, no infamy or ignominy could thereby attach to his hon. friend, who had acted in discharge of his duty as an independent Member of Parliament. He thanked his hon. friend for the part he had acted, and the Duke of York and his friends ought to thank him also; for if those libels were anonymous attacks, which the law could not reach, this was the only way in which the character of the Duke of York could be cleared from the base calumnies which had been cast on it.

Lord Castlereagh was happy to hear that there had been such an universal concurrence of sentiment with respect to the necessity of examining, in the most solemn manner, the charges which had now been brought forward. He should have thought it unnecessary to trouble the House, if it were not for one or two expressions which had fallen from an hon. gentleman (Mr. Whitbread), who seemed to censure the idea of there being a systematic conspiracy to calumniate the Duke of York and the Royal Family; and who stated that ministers and law-officers must be much to blame for not instituting prosecutions, if such a conspiracy really existed. He was somewhat surprised at the course which had been taken in the debate by a noble lord (Lord Folkstone), who suffered the original motion to be carried *nemine contradicente, and afterwards spoke* against the course which the House had

adopted by that resolution. For his part, he thought that every possible publicity should be given to the proceedings upon this important occasion. It was a proud situation for the constitution of this country, as well as for the illustrious person who was the object of this accusation, to have a personage the most exalted in rank of any subject in the realm (except one), desiring the same publicity in the examination of the charges against him, as would take place in the case of the lowest and meanest subject. Although every gentleman would perceive that the House would suffer great inconvenience in being obliged to devote to this examination so much of that time that was wanting for other important business, yet it would be better to suffer that inconvenience than suffer calumnies to rest upon persons in the most distinguished and important public situations. He thought the House and the country should feel indebted to the hon. gentleman who brought this matter forward, as it was reducing those charges which had been so often made, into a tangible shape, and a form, upon which a regular decision might be had. It should be recollected, however, that every charge which had hitherto been made in that House against any part of the conduct of the Duke of York, had only tended to raise his Royal Highness higher in the estimation of the public, and exhibit, in a clearer view, the purity of the principles upon which he acted. With respect to the doubt which the hon. gentleman (Mr. Whitbread) seemed to entertain, of the existence of a systematic conspiracy, to traduce and calumniate the Duke of York and the other members of the Royal Family, he should ask who was there that read those newspapers which are daily presented to the public, and those other publications which come before them more indirectly, that could entertain a doubt of this systematic conspiracy? It was evident that the same party, who, in times past, endeavoured to subvert all the establishments of the country by force of arms, are now endeavouring to undermine them, by calumniating whatever is exalted in rank, or distinguished in situation. That party could not now think of carrying their object by force of arms, as they knew the attempt would be too desperate and dangerous in the present times; but they were unremitting in their exertions to prepare the way to the objects which they hoped to accomplish, by calumniating the members of the Royal Family, and all persons in eminent and distinguished situations. The hon. gentleman asked, what were ministers and the law officers doing, or why they did not institute prosecutions? The fact is, they have instituted prosecutions; but their entire time would be taken up in prosecuting the libellers of the Duke of York, if every libel was to be prosecuted. There was also one reason which often prevented prosecution. It was in the power of any man of moderate understanding, and who had any legal knowledge or advice, so to frame his calumny, that it might deeply wound the feelings of the person who was the object of it, and yet the malice of the calumny might be so disguised under the mask of fair discussion, as to make it difficult for the

law to lay hold of it. There was another way in which libellers might escape justice. When the law was going to be put in force against them, they shrunk from the laws and quitted the country. In a very remarkable recent case [Here the noble lord alluded to Major Hogan], before the promulgation of the libel itself, the author had secured his passage to America. The House and the Duke of York were now in a new situation, and he congratulated them and the country upon it. There was much more chance of mischieffrom malignant misrepresentations out of that House, than from direct charges brought in a fair and manly way in that House. As those charges had been so brought, he thought it necessary that they should undergo the most solemn, serious, and public investigation. He thought the greatest possible publicity should be given to this examination, and that every step of it should be in the face of day. He was, therefore, not for leaving it to any Select Committee, nor even to the Twelve Judges, nor to any thing short of that full and open examination, which might be had at the bar of that House. He therefore trusted the House would adopt that course.

Mr. Whitbread said a few words in explanation.

The question was then put on the motion of the Chancellor of the Exchequer, "That the Committee should be a Committee of the whole House," which was carried without a division. It was then ordered, that the Committee should sit on Wednesday.

The Chancellor of the Exchequer requested the hon. gentleman (Mr. Wardle), to furnish him with a list of witnesses to be summoned, and wished to know whether the hon. gentleman meant to begin with the case of Major Tonyn?

Mr. Wardle said, that he was not then prepared to say which of the cases he would begin with, as many of the witnesses were officers on their return from Spain, who had not yet arrived in England. He thought, however, by Tuesday, that he should be prepared to prove some one of the cases, and would on that day give the list of the witnesses who were to be summoned.

The Chancellor of the Exchequer thought the hon. gentleman would have done better if he had abstained from bringing his charges till he had all his witnesses in England.

FIRST DAY.

WEDNESDAY, FEBRUARY 1, 1809.

COLONEL WARDLE moved the order of the day for the House going into a Committee, to investigate the conduct of his Royal Highness the Commander in Chief.

The House accordingly went into a Committee, and MR. WHARTON was moved to the chair.

COLONEL WARDLE rose, and begged leave, before he proceeded to examine his witnesses, in support of the charges he had brought forward against his Royal Highness, to make a few observations; not for the purpose of provoking debate, but of doing away certain impressions that might be created by what had been stated by a right hon. gentleman opposite, when he took occasion to make his charge, and when he voluntarily enumerated almost all his witnesses. There was nothing that he said which called for any strong remarks; yet there had been some made, tending to affect the character of the individual; when all that he did was to come forward the public accuser of the Commander in Chief, upon grounds of which he offered to produce evidence before the House. He had not only been attacked with calumnies, but much had been said also of the licentiousness of the press, as well as a conspiracy existing against the House of Brunswick. He believed there was no man who had less to do with conspiracies than he had; and therefore such insinuations as these ought to have been followed by some degree of proof; for it could not otherwise be made with any other intention than to throw odium upon the individual who should venture to rise, in order to accuse any person of high rank and influence in the country. With regard to Jacobins, he should imagine that there were no persons of that description living in this country, who would chuse to come forward boldly to discover their wishes; but rather desire, by a contrary conduct, that corruption would be allowed to flourish till it overthrew the state. His sole object was to check it wherever and whenever it first manifested itself, and thus to render a service to his country. One strong assertion made by an hon. gentleman he could not help noticing, as it certainly seemed to make no inconsiderable impression upon the House. It was, that, after an acquaintance of many years close intimacy with the Commander in Chief, he (the person alluded to) would take it upon himself to say, that it was impossible such transactions as those which he (Mr. Wardle) had pointed out, could have been carried on without his knowledge; and therefore the assertions he made must be perfectly false. Now, he would take it upon himself to

prove, that pecuniary transactions of a similar nature to those he had stated had been carried on without that gentleman's knowledge, and that they were the chief ground of separation between a certain lady and the Commander in Chief. He should prove that particular, in order to do away any such assertions from such a quarter. He was fully aware of all the difficulties he had to encounter, in bringing forward this business, and how much it was the interest of every member of the house to lean to the side of the Commander in Chief, rather than to that of an accuser.—(*Cry of No! No! No!*)—After the evidence he should adduce was heard, he still had hopes that nothing could induce the House to act otherwise than what would be thought most proper for the good of the country: He mentioned these things, that no misrepresentation should go forth to the public, and in order to throw himself upon the justice of the House, under all the difficulties he had to encounter.

Mr. Yorke said, as he presumed he was one of the individuals alluded to, he should say, in answer to the hon. gentleman's observations, that he had not the smallest intention of making any personal allusion to him for his conduct upon this business as to his Royal Highness. Although he thought that hon. gentleman had taken upon himself a very great responsibility: yet he was convinced he rather deserved well of his country for having brought forward the whole matter of the rumoured charges in a tangible shape. His observations in regard to the licentiousness of the press, were what occurred to every body's mind, and consequently he flattered himself that the Committee would think he meant no personal allusions to the hon. gentleman, nor to any particular individual.

Colonel Wardle expressed himself satisfied; and then said he should now proceed to investigate, and to adduce evidence in support of his charge against his Royal Highness the Commander in Chief, relative to the exchange effected between Lieutenant-Colonel Brook, of the Dragoon Guards, and Lieutenant-Colonel Knight. Previously to doing so, he should produce the Gazette of July 30, 1805, in which that exchange was stated to have taken place.

The following entry to the Gazette, page 970, was read:

"War Office, July 30th, 1805.

"56th Regiment of foot: Brevet Lieutenant-Colonel Henry Raleigh Knight, from the 5th Dragoon Guards to be Major; vice Brook, who exchanges."

Colonel Wardle then called his first witness upon this charge:

Dr.

SIR FRANCIS BURDETT.

Published March 1st 1819 by James Asbury, Leadenhall Street, Sowell, Fisher and Dixon, Liverpool.

(Dr. Andrew Thynne *interrogated by* Colonel Wardle.)

Question. Did you attend Mrs. Clarke, in your professional capacity, in July, 1805?

Answer. I attended Mrs. Clarke during the last seven years. I do not recollect the year 1805 particularly, or more than any other, but I know I attended her during that time in particular situations.

Q. Did you ever, by the desire of any person, apply to her respecting an exchange between Lieut. Colonel Brook and Lieut. Colonel Knight?

A. I did apply to Mrs. Clarke respecting that exchange. The application I made was in consequence of one made to me by an old friend of mine, Mr. Robert Knight, the brother of one of these gentlemen, requesting me to speak to Mrs. Clarke upon the subject.

Q. What passed upon that subject between you and Mrs. Clarke?

A. I was authorised to tell Mrs. Clarke, that she would receive a certain sum of money, if she would use her interest to expedite this exchange. I specified the sum of 200*l.*

Q. For what purpose was that sum specified, or what statement was made upon that occasion?

A. It was in order to induce Mrs. Clarke, to expedite that exchange, which was to take place in the War-office, as some delays and impediments were expected; and it was in order to promote and expedite it that I was authorised to offer her that sum, if she would use her interest to doso.

Q. Through what medium was it expected that she would obtain that exchange?

A. I cannot answer that question; but I am sure it was pretty well known. I know nothing more of it, than that I delivered a message, as from an old friend, to desire her to expedite the exchange of the two officers.

Q. Was it not in consideration of her being under the protection of the Commander in Chief that such an application was made to her?

A. Of course; if Mrs. Clarke had not been thought able to expedite the business, no application would have been made to her.

Q. How many days elapsed between the application to Mrs. Clarke, and the exchange appearing in the Gazette?

A. I really cannot be accurate in that respect, as I only remember delivering the message I have stated.

Q. Did it occur within a few days, or a week?

A. I protest I cannot bear in mind; but I believe it was a fortnight or three weeks before it took place. I had nothing more to do with it than merely to deliver the message; which, not being in the sphere of my avocations, it made no impression on me.

Q. Did Mrs. Clarke communicate the circumstance of the exchange being admitted?

A. Mrs. Clarke sent the Gazette to my house, in consequence of the message I delivered to her; and the moment it arrived I sent it to the party; but she received no money from my hands.

Q. Did Mr. Robert Knight alone authorise the witness to offer the 200*l.* or was Lieutenant-Colonel Knight, his brother, a party to it?

A. I was entirely influenced by Mr. Robert Knight; his lady was an old patient of mine, and he was an old friend; I know little of his brother.

Q. Am I to understand that Lieut. Colonel Knight was, or was not present when you were authorised to offer 200*l.*?

A. I cannot say; I was sometimes in company with him, and sometimes with his brother; and, after three or four years, I cannot possibly recollect the particulars; but I was influenced by Mr. Robert Knight, whom I had a great regard for.

(*By* Sir F. Burdett.)

Q. Did you request Mrs. Clarke to apply to the Duke of York to expedite the promotion of Lieut. Col. Knight?

A. could not have applied to Mrs. Clarke, unless she had the means of expediting the business.

Q. How did you understand that Mrs. Clarke had the means of expediting it?

Here the witness was ordered to withdraw; and it was suggested by a member on the ministerial side, that the witness should be admonished by the chairman, not to state any thing from surmises, but merely facts absolutely within his own knowledge.

The witness was then brought back, and he gave the following answer:—

I applied to Mrs. Clarke to beg her to interest herself in behalf of Lieut. Colonel Knight, to expedite the exchange; I think I did afterwards request her to apply to the Duke of York to expedite that exchange, and it was for this sole purpose that 200*l.* was given.

Q. In your first conversation was the name of the Duke of York mentioned?

A. I am sure I cannot recollect, and I cannot take upon myself to say so.

Q. Was your application to Mrs. Clarke merely to expedite the exchange, without mentioning any particular way in which it might be done?

A. Certainly, without mentioning any particular manner. It was pretty well known that she was acquainted with an illustrious personage at that time.

(*By* Sir J. Hall.)

Q. Whom do you mean by that great personage?

A. I certainly supposed it was the Commander in Chief, of course.

Q. Did you give any names in writing to Mrs. Clarke?

A. I believe I gave in, upon a bit of paper, or she herself wrote upon it, the names of Lieutenant Colonel Knight and Lieutenant Colonel Brook.

(*By* Sir T. Turton.)

Q. Did Mrs. Clarke communicate to you that the exchange had been obtained by her means?

A. That Gazette I sent to the parties, together with the note with which she accompanied it, and which stated that the exchange was accomplished, and that, as she was going out of town in a day or two, the 200*l.* would be very convenient.

Q. Are you certain that those were the whole contents of the note?

A. That was the impression on my mind at the time, and it is so still, though three or four years have elapsed.

Q. Did Mrs. Clarke, since that period, communicate to you that it was obtained through her means?

A. Mrs. Clarke never said to me any thing more upon that subject after communicating the Gazette; but I believe it was expedited by her means.

Q. Have you preserved that note?

A. No; I have not preserved it, for I have said I sent it with the Gazette.

(*By* Mr. Croker.)

Q. Have you any reason beside your own surmises, for imagining that this exchange was expedited through any other medium than that of Mrs. Clarke?

Here Mr. Wharton, the chairman, repeated the caution he formerly gave the witness, not to speak to facts beyond his own knowledge; and some discussion took place between Sir Charles Burrell, Mr. Lyttleton, and the Attorney General, relative to the propriety of interrupting the witness so frequently. The latter of these gentlemen said it was irregular to question a witness, either

either in that House, or the courts of law, as to any thing but facts within his own knowledge. If it were meant to attach criminality to a person by conversations of the nature the witness was alluding to, it was not competent to interrogate him as to whom he meant by the illustrious personage, as they were not to be guided by his construction of these words. They were to prove such points by other witnesses.

Q. Had you any reason, besides your own surmises, for believing that this exchange was expedited by any other interference than that of Mrs. Clarke?

A. I understood that it was in the course of being obtained in the regular way; but Mr. Knight, in consequence of ill health, or some other reason, was anxious it should be expedited. I know of no other reason upon earth.

(*By* COLONEL WARDLE.)

Q. Did you not know that Mrs. Clarke was living with the Duke of York, and under his immediate protection?

A. It was so understood at the time.

(*By* MR. LAMBE.)

Q. Did you ever see the Commander in Chief at Mrs. Clarke's?

A. I never saw the Duke of York there in my life.

(*By* MR. WILBERFORCE.)

Q. Does the witness recollect the manner in which the proposition was first made, in engaging Mrs. Clarke's interest?

A. When I first spoke to Mrs. Clarke, she seemed to think there were some difficulties in the way, and hinted at the danger she would risk if the circumstance ever transpired.

(*By* MR. PERCEVAL.)

Q. Do you recollect what words she used upon that occasion?

A. It is impossible for me, at this distance of time, to recollect the precise words, but the meaning of them I perfectly understood to be as I have stated.

(*By* MR. BERESFORD.)

Q. Did she mean to keep it a secret from the Duke of York as well as from the world?

A. That is a matter of surmise. (*A laugh.*)

Q. Did you understand that the exchange was in a train of being effected previous to Mrs. Clarke's influence being solicited?

A. I understood that the thing would have happened in the course of time; but Mr. Knight wished it to be expedited, I know not from what motives. It was on account of his expressing such a wish that I applied to Mrs. Clarke. The matter passed through the office in the regular way.

The second witness whom MR. WARDLE called and interrogated was,

ROBERT KNIGHT, *Esq. of Burrells.*

Q. Did you desire Dr. Thynne to use his influence with Mrs. Clarke, to carry into effect the exchange between Lieutenant-Colonels Brook and Knight? A. I did.

Q. Did you authorise Dr. Thynne to hold out any pecuniary temptation to Mrs. Clarke, to induce her to carry that point? A. Yes.

Q. To what amount did you authorise the Doctor to make an offer?

A. 200*l.*

Q. After the exchange was effected, did you, by yourself or any other person, send any sum of money to Mrs. Clarke? A. Yes.

Q. To what amount?

A. I have already answered that question by stating 200*l.*

Q. Had

Q. Had Lieutenant-Colonel Knight any positive promise from the Commander in Chief as to this exchange with Colonel Brook, of your own knowledge, prior to this application to Mrs. Clarke?

A. My brother applied in the regular way to the Duke of York, and received the usual answer, that whenever a proper successor could be found, there would be no objection to the exchange taking place.

Q. I wish to know, whether, besides that usual answer, any farther promise was made as to that exchange?

Upon the motion of MR. PERCEVAL, the witness was ordered to withdraw, and Mr. Perceval observed, that the witness could not have any knowledge of this, but through other persons, and therefore the most regular mode would be to ask him, if, on his own knowledge, there were any promise, either verbal or in writing? for if there were any of the latter description, the House should have it stated, and produced before them.

SIR F. BURDETT stated, that there were various ways by which a person may know of an occurrence without personally knowing it. It was very probable that he might have seen a letter, stating it, though that letter might not be preserved.

MR. PERCEVAL added, that perhaps such a letter might have been shewn, without that letter having been sent from the Duke of York; and therefore he thought the objection had been taken at a proper moment.

COLONEL WARDLE stated, that he had put the question as direct as possible, by asking whether the witness *knew* of any promise whatever that his brother had received besides the usual letter that had been sent to him.

SIR JAMES GRAHAM thought the question was direct and proper.

The witness was then recalled and further questioned.

Q. Do you know of any positive promise given to Lieutenant-Colonel Knight, prior to the application to Mrs. Clarke, that this exchange should take place? A. No.

Q. Was it the idea that this exchange could not have been carried into effect through the common course of negociation, which caused this interference of Mrs. Clarke?

A. There was some delay in the business, but from what cause I do not know. I said to Dr. Thynne, I should be happy to give 200*l.* if the business could be carried into effect. Dr. Thynne happened to be attending in my family at the time, and he said he could make application to a friend of his; and I told him I should be happy if he would, as my brother was then in a very bad state of health. It was for the purpose of going on half-pay; and I believe he had served as long as any man of his age, and had severely suffered by it. He had served 23 years, and been in many battles. My anxiety to serve him proceeded from his painful and distressing situation.

Q. How did you send the 200*l.* to Mrs. Clarke?

A. Under a blank cover, by my servant, as far as my recollection serves me.

(*By* MR. LEACH.)

Q. Did you see Mrs. Clarke soon after this exchange was effected, and after notice of it was inserted in the Gazette, and for what purpose did you see her?

A. I saw her about the month of September,

September, for the purpose of thanking her.

Q. On that occasion did Mrs. Clarke desire you to be secret as to this transaction, and did she assign any reason for it?

A. She did intreat me to keep it a secret, lest it should come to the Duke's ears.—(*Hear! Hear! from various parts of the House.*)

Q. Did you see Mrs. Clarke within the last month, and how did it happen that you saw her?

A. She sent for me by a note about a month ago: I made no reply; but she again wrote to me about ten days ago, and I went to her: she asked me the name of the officer who had exchanged with my brother; She made many observations and complaints of the treatment she had met with from the Duke of York; that he had left her in debt to the amount of 2,000*l.* and that she would expose him. I told her it was her affair; but I trusted she would not produce either myself or brother in any of her transactions. She said, "Oh! no! no! O good God, no! it is not my intention!" That passed in the drawing-room, and I have not seen her since; but I was much surprised and thunderstruck to see and hear my name had been mentioned as it was, without previous notice.

Q. Do you know, of your own knowledge, where the delays alluded to took place?

A. In the Duke of York's office.

Q. What department of that office?

A. I believe it was in the office of Colonel Gordon, who was secretary at that time.

(*By* Mr. Adam.)

Q. You have said that you sent the bank-note in a cover by the servant; do you remember the time of day you sent them?

A. I am pretty sure it was in the fore-part of the day, and rather early in the morning.

(*By the* Attorney General.)

Q. Was the money you have mentioned in one or two bank-notes?

A. I cannot positively say, but I think it was in two.

Q. Can you say from whom you received these bank-notes?

A. No, I cannot; it is three or four years ago.

Q. How long was it before your brother was gazetted that you spoke to Dr. Thynne?

A. I should think it was about a fortnight or three weeks.

Q. Did you receive a note with the Gazette from Mrs. Clarke?

A. No: I did not; I think it was from Dr. Thynne that I received the note.

Q. Did you ever receive any letter from Mrs. Clarke, except the one you have mentioned?

A. I have received many letters, but not on this business.

Q. Did your brother, of your own knowledge, ever apply to the commanding officer of the 56th regiment, wishing him to solicit the Commander in Chief?

A. I do not know, but I think he did. Upon consideration it now occurs to me, that I went to the Gazette office myself to make inquiries about the exchange being entered.

Q. What time elapsed from the application at the Commander in Chief's office, to the second application to Mrs. Clarke, through Dr. Thynne?

A. I believe a fortnight or three weeks.

(*By* Lord Folkstone.)

Q. Had you any particular reason to know that the exchange would be announced in that particular Gazette, or did you go several times, to see if it were inserted?

A. I went there several times before.

Q. Did you actually learn from Mrs. Clarke that she ever applied to the Duke of York to effect or expedite this exchange?

On Friday, January 20th, Colonel Wardle, one of the Members for Oakhampton, gave notice that he intended to submit to the House of Commons, on that day sennight, a motion on the subject of the conduct of his Royal Highness the Duke of York, Commander in Chief, respecting promotions, the disposal of commissions, and the raising of new levies for the Army.

Accordingly, on the 27th of January, COLONEL WARDLE rose for the purpose of making his promised motion, which he prefaced with the following address:—

SIR, I rise, in pursuance of a former notice, to submit to the House a motion, relative to the promotions in our army. Fully aware of the great importance of the subject which I am to bring forward, I must say I really feel myself somewhat inadequate to the task, and wish it had fallen into abler hands; but the ardent zeal I entertain for the service of the country, supported by facts incontrovertible, may enable me to rescue the military service from the baneful influence of corrupt practices.

To stand forth the public accuser of a man of such high rank as the Commander in Chief, may be deemed an arduous and presumptuous undertaking; however arduous and presumptuous it may be, nothing shall divert me from the performance of my duty; and I trust he will feel that, however high he may stand in point of rank or influence, the voice of the people, stated through their representatives, will prevail over corruption, and that justice will be done to a suffering nation. I can assure the House I have no other motive in view, than the honest one of rendering to our country a service. Feeling as I do, that, in matters like this, unless corruption be attacked, and attacked strongly too, this country will fall an easy prey to an inveterate enemy. I beg leave in the first instance to call the attention of the House to the establishment of the present Commander in Chief. The half-pay fund arises from the sale of the commissions of those officers, who are not themselves permitted to sell them, and of those who are dismissed from the service. The power which he has thereby acquired, is that of rewarding any meritorious officers, either by giving them any of those commissions, or applying the produce of them to the reduction of the half-pay list, or in aid of the compassionate fund. These I believe are all the powers which a Commander in Chief has ever been presumed to possess over those funds. If then I can prove that commissions so becoming vacant have been sold, and the money applied to very different purposes, I shall then establish this one fact, at least, that the plan upon which this fund had originated, has been totally abandoned. It is evident, that in cases such as those I shall name, merit has not received its reward; that the half-pay list has not been reduced, and that the compassionate fund has not been conducted on its original footing. However much I may feel repugnant at taking

any

any notice of the abuses of this power, by such a high individual, yet it is absolutely necessary that I should state particular facts, in order to lay the matter open for investigation.

The establishment to which I allude, took place in the year 1803, when his Royal Highness the Commander in Chief took a handsome house, set up a full retinue of servants and horses, and also a lady of the name of Clarke. I trust the House will excuse me for stating such facts as these, and also for mentioning a variety of names of parties concerned in each of them, my intention being, that it shall be impossible for any individual to say, that I have taken up this matter on slight grounds.

The first instance I shall state is that of Captain Tonyn, of the 48th Regiment, who was promoted to the Majority of the 31st Regiment, on the 2d of August, 1804, and whom I believe to be a very meritorious officer, and one as deserving of promotion as any man whatever. I mean to throw out no reflection on individuals, but merely to state cases as they have been stated to me. Captain Tonyn having remained a great many years without promotion, though no man had a better claim to it, he being the son of a very experienced general, might have purchased a commission, had he thought proper; but it so happened, that this Captain Tonyn was introduced by Captain Sandon, of the Royal Waggon Train, to this Mrs. Clarke, and it appears it was agreed, that, upon his being promoted to the Majority of the 31st Regiment, he should pay her 500*l.* In transactions of this nature, from inquiries I have made, I find it was usual for the money to be paid into the hands of a third party, and made payable to the order of the party who was ultimately to receive it. The agent, in this instance, was a Mr. Donovan, surgeon, in Charles Street, St. James's Square; and, as I shall have occasion to take particular notice of this individual, I shall take the liberty of stating who and what he was. I find, that in the year 1802, he was appointed a Lieutenant in the 4th Royal Garrison Battalion, and afterwards removed and promoted to another of the garrison battalions. Now, Sir, I have endeavoured to find out what military services this gentleman performed, that could entitle him to hold any such commission, but have been able to find none. It is an extraordinary circumstance, that from his first appointment, down to this present hour, it appears he has never been near his regiment, but that he has a perpetual leave of absence. When the House knows the reason for this person being resident in London, they will not be at all surprised at his being allowed a constant leave of absence; besides this, it appears that during the American war, he enjoyed an appointment upon the medical staff, and still continues to form a part of it. The 500*l.* which I have mentioned to have been lodged with this Mr. Donovan, by Capt. Sandon, was paid by him to Mrs. Clarke. The difference between a company and a majority is 1,100*l.*; this lady received only 500*l.*, while the half-pay fund lost the whole sum, for the purpose of putting 500*l.* into the pocket of Mrs. Clarke.

Clarke. This 500*l.* I shall be able to prove was paid by Mrs. Clarke to Mr. Perkins, a silversmith, in part payment for a service of plate, that the Commander in Chief made good the remainder, and that the goods were sent to his house in Gloucester-place. From this I infer, first, that Mrs. Clarke possesses the power of military promotion; secondly, that she received a pecuniary consideration for such promotion; and thirdly, that the Commander in Chief was a partaker in the benefit arising from such transactions. In this case, there are no less than five different persons who can be called as witnesses, viz. Major Tonyn, Mrs. Clarke, Mr. Donovan, Captain Sandon, and the executor of Mr. Perkins, the silversmith.

The next instances I shall give, are those of Lieutenant Colebrooke, of the 56th Regiment, and Lieutenant Knight, of the Dragoon Guards. A Mr. Tuck, a medical gentleman, it appears, was concerned in the first of these transactions, for it was agreed between him and Mrs. Clarke, that she should receive 200*l.* upon Lieutenant Colebrooke's name appearing in the Gazette for promotion. At that moment, it appears, this lady was anxious to go on an excursion into the country, and she stated to his Royal Highness, that she had an opportunity of getting 200*l.* to defray the expences of it, without applying to him. This was stated upon a Thursday, and on the Saturday following this officer's name appeared in the Gazette, and he was accordingly promoted, upon which Mr. Tuck waited on the lady and paid her the money. To this transaction, therefore, I can call as witnesses, Lieutenant Colebrooke, Mr. Tuck, and Mrs. Clarke. Without stating the particulars of the other case I have alluded to, I shall content myself with mentioning one of a very different nature, which occurred within these eight or ten months, and that I do it for the purpose of shewing how very difficult it was, in many instances, for officers of the highest merit to be allowed the smallest indulgence in regard to change. Two officers of the 1st Regiment of Foot, Major Macdonald and Major Sinclair, who are generally acknowledged to be officers of merit, happening to be both in a bad state of health, Major Macdonald was ordered to join his regiment in the West Indies; but being sensible that the climate would prove injurious to him, and Major Sinclair having been in the West Indies, where he had enjoyed his health much better than here, they mutually agreed to apply for an exchange. Application was accordingly made to the Commander in Chief, and it was urged as strongly as possible; every thing was attempted, but in vain; the Commander in Chief ordered Major Macdonald to go to the West Indies, where he soon fell a victim to the climate; and he forced Major Sinclair to remain at home, where his health became worse, and he died. These officers, it appeared, had offered no bribe of 200*l.*, and therefore they were obliged to combat stations, which caused the termination of their existence. The next instance is that of Major John Shaw, who was upon the full pay in Champagny's Regiment. He

applied

applied for the office of Deputy Barrack-Master-General, at the Cape of Good Hope, Dec. 8d, 1806, and in that appointment Mrs. Clarke's interference will be strongly exemplified. The Commander in Chief had no favourable opinion of this Major Shaw; but we find that officer consented to give Mrs. Clarke 1000*l.* for this appointment, and he was accordingly Gazetted, April 3, 1807; soon after that, it appears, that this gentleman, in compliance with his obligation to pay that bribe, sent several sums of money to Mrs. Clarke, amounting in all to 500*l.*—She applied in vain for the remainder, which, owing to some embarrassments, he was not able punctually to pay. When she found that he was not competent to fulfil his engagement, she complained bitterly of this breach of contract to the Commander in Chief, who, feeling for her situation, was much enraged, and immediately for this *breach of contract*, put Major Shaw upon half-pay. I have in my possession a letter from Major Shaw, complaining violently of this conduct, and there are also several letters written by Mrs. Shaw, (his wife) to this Mrs. Clarke, threatening her and the Commander in Chief with a public exposure. I believe the staff in America, are all in the same predicament; and, indeed, I know but of one instance of any officer having been put on full pay.

I think this shews that Mrs. Clarke's influence extended to the staff abroad, as well as to the army at home, and that the Commander in Chief countenanced this individual, and rendered himself a direct party to her transactions, by putting an officer on half-pay, for breach of his bargain with her.

The next case relates to a levy made under the direction of Colonel French, in the years 1804 and 1805; this levy was set on foot by this same lady Mrs. Clarke.

Colonel French was introduced to her by Captain Sandon, and it was agreed between her and that Colonel, that she should have a given sum out of the bounty on each man raised, besides the patronage of a certain number of officers, in consideration of the assistance she was to afford Colonel French in his promotion. This agreement she made known to the Commander in Chief, and afterwards sent the Colonel to the Horse Guards, and he obtained his object. As this levy proceeded, she received several sums of money through the hands of French, Sandon, and a Mr. Corri, also one of her agents, all of whom can be brought as witnesses to this transaction. There was one sum of 500*l.* which she received from Mr. Corri, and which was paid through the hands of another agent, a Mr. Cockayne, a solicitor, in Lyon's Inn. Mr. Donovan, whom I have mentioned as a Lieutenant of the Royal Garrison Battalion, was the agent who gave in writing, to the parties applying for promotion, a statement of the prices which Mrs. Clarke asked for what she had to sell. The half-pay prices appear to have been, for a majority, 900*l.*; a company, 700*l.*; a lieutenancy, 400*l.*; and an ensigncy, 200*l.*. The full-pay prices were, for a majority, 2,600*l.*; a company, 1,500*l.*; a lieutenancy, 550*l.*; and an ensigncy, 400*l.* Thus far it appears that

Mrs.

Mrs. Clarke was interested and concerned in army promotions. I am now to come to those transactions of a similar nature, wherein the Commander in Chief appears to have been alone concerned. I am prepared to prove that the Commander in Chief was to have a loan from Colonel French, through Mr. Grant, of Barnard's Inn, on account of his promising to use his influence to procure a considerable sum of money which was due to that officer. That the Commander in Chief did use his influence to get payment of these arrears is evident; but it is also evident, that he did not succeed, and, therefore, he did not receive the loan promised. There was no less than 3000*l.* due to Colonel French from Government. From these bases I think it will plainly appear, that not only did Mrs. Clarke possess influence to procure promotions, to effect exchanges, the power of augmenting the military establishment of the country, and that she was allowed to receive pecuniary remunerations for her interference; but also, that the Commander in Chief endeavoured to procure pecuniary resources to himself, both in conjunction with, as well as independently of, Mrs. Clarke. I shall now allude to another case, namely, that of Captain Maling, of the 73d Regiment. He was appointed a Captain in the Royal African corps, upon the 15th of January, 1808; that corps being commanded by Col. Gordon, the Duke of York's Secretary. I believe that Captain Maling is a perfectly meritorious officer; I have not the honour of knowing him, but I have heard him highly spoken of. I understand he had the good fortune to get his first commission in 1806, when he was a clerk in Mr. Greenwood's office, without one hour's military service, and soon afterwards was appointed to a company in Ireland. In the space of three years, he has been put over the heads of all the subalterns in the army, *many hundreds* of whom, in addition to their long service, and the wounds they have received in their country's cause, had actually lodged their money for promotion. Whether this is doing justice to the military service of the nation, I leave to gentlemen to judge; but I trust I have stated a sufficient number of cases, to induce the House to give me permission to appoint a Committee for inquiring into such gross and scandalous abuses. Before concluding, however, I may advert to this other very extraordinary circumstance, that I can tell Gentlemen, that, of my own knowledge, at this very hour there is a public office in the city, where commissions are still offered at the reduced prices which Mrs. Clarke chooses to exact for them. The agents there have declared to me, that they are now employed by the present favourite Mrs. Carey. They have not only declared this as relative to military commissions, but they have carried it much farther; for, in addition to commissions in the army, places of all descriptions, both in CHURCH AND STATE, are transacted at their office; and these agents do not hesitate to give it under their own hands, that they are employed by many of the first Officers in His Majesty's service. To conclude, I trust, that after the statement I have made *no man who has* heard me will think that I have taken up this matter

matter lightly. I have pressed it upon sure grounds, and am prepared to prove these assertions; and in order that they may be investigated and inquired into, I beg leave to move, "That a Committee be appointed to investigate the conduct of his Royal Highness the Duke of York, in his capacity of Commander in Chief, with regard to appointments, promotions, exchanges, the raising of new levies, and the general state of the army."

Sir F. Burdett seconded the motion.

The Secretary at War said he did not rise to give any opposition to the motion, at least to any fair and reasonable extent to which the proposition might be thought necessary. The hon. gentleman had, in a very candid manner, brought forward facts of the most important kind, and in their consequences most serious and weighty. He conceived the House would readily acquiesce in going into an inquiry of the facts which had then been brought forward, or any other facts which the hon. gentleman might still intend to produce hereafter; but as to a general inquiry into the conduct of the Commander in Chief, he would not agree. He was certain that illustrious personage was ready to go into a full investigation of these charges. As to the half-pay list, he had already stated, on former occasions, that it had been most extensively and materially benefited by the Commander in Chief, who had voluntarily resigned a very extensive patronage, in order that the sale of the commissions might be brought in aid of the Compassionate Fund, by which that fund had been greatly increased. With respect to the barrack department, he thought it proper just to state, that it was not within the patronage of his Royal Highness the Duke of York. He wished also to observe, that the manner in which the army had been fitted out, which was lately sent to Portugal, was a very striking mark of the superior military talents of the Duke of York, and a strong proof of his great attention to and regard for that army, and of course militated against the truth of charges, which, if founded in truth, must strike at its discipline, and, through that, at its very existence. His right hon. friend near him (Sir A. Wellesley), who had so lately commanded that army, would readily tell the state in which he found it; and great as his right hon. friend's talents were for inspiring his soldiers with spirit, and activity, he could not have speedily instilled into them the noble energies of which they had given such unequivocal and brilliant proofs, if they had previously been under such inattention to, and neglect of discipline as these charges held out. The spirit of promotion, which had been infused into the army by the Commander in Chief, and which throve so well under his auspices and nourishment, together with the extreme regularity, order, and arrangement, which he had introduced into every military department, had done every thing for the army, and evinced that he had ever been actuated by the greatest zeal and anxiety for its honour and its interests,—whereas, *the charges, if* true, would make him one of its *most inveterate enemies.* He thought it necessary to make

Q. Was it a verbal answer you received, or by letter?

A. It was a verbal one; either in Taylor's own language, or the Duke's; I don't know which.

Q. What is your husband's name?

A. Clarke.

Q. What is his christian name?

A. Joseph, I believe.

Q. Where were you married?

A. At Pancras; Mr. Adam can tell you.

[The witness was again admonished from the Chair, and warned, that if she persisted in giving her answers in that pert manner, she would expose herself to the censure of the House. She was ordered to withdraw.

Mr. Adam hoped the rebuke was not applied in consequence of any observations made on him.

The witness was called in again.]

Q. Have you not said you were married at Berkhamstead?

A. Yes; when I was laughing at Mr. Adam, and making a fool of him. The Duke was very angry and sorry for what I had done, as he was in Mr. Adam's clutches.

Q. Did not you find Mr. Adam believed you, and acted upon that information?

A. He set a man to make inquiries on the subject; at least so the Duke told me. But neither Mr. Adam nor any one else could say I acted improperly while I remained under the Duke's protection.

Q. Did you not represent your husband as the nephew of Alderman Clarke?

A. He told me he was.

Q. Did you believe he was?

A. Yes, I did.

Q. Did you ever see Alderman Clarke?

A. I never saw any of my husband's relations, but two brothers and sisters.

Q. Do you now believe he was so related?

A. I never inquired since I quitted him. He is nothing to me, nor I to him. I never saw him these three years, since he threatened to bring an action against the Duke of York.

Q. What business was your husband of?

A. He was of no business. His father was a builder.

Q. Did you ever live in Tavistock-place? A. I did.

Q. Where did you live there?

A. I don't recollect.

Q. How long ago?

A. I don't know.

Q. When did you go to live in Gloucester-place?

A. I don't know. I was in Park-lane with the Duke before that.

Q. When were you in Park-lane?

A. I don't know.

Q. Did you live any where else between leaving Tavistock-place and going to Park-lane?

A. I don't know, the Duke knows. I might have gone to some of his houses.

Q. When did you first become acquainted with the Duke?

A. I must be excused if I do not mention it. Upon being pressed for an answer, she said, "I do not recollect."

Q. Why would you be excused?

A. Because I do not recollect.

Q. Is that the only reason?

A. I wish to be very fair in my answers.

Q. Can you positively say you did not live in Tavistock-place before you knew the Duke?

A. I do not consider that a fair question; I have a family of children, and a daughter grown up: I lived under the protection of the Duke there.

Q. Were you under his protection when you first lived there?

A. No; I was under the protection of my mother.

Q. Did you not represent yourself as a widow?

A. No, never but at the Court Martial. I thought I was saving my own character, and that of his Royal Highness, as he was married also.

Q. Did you not tell your tradesmen you were a widow? A. No, never.

Q. Have you not threatened the Duke, that if he did not comply with the terms proposed, you would put his

his letters into hands who would pay the demand? A. What letters?

Q. Have you not said you would put every thing on paper, and if the Duke did not comply, you would put it into hands who would publish it?

A. The gentleman is reciting from Mr. Adam's letter, had he not better read it?

[Upon the question being repeated, she said, I don't recollect what I said; but I beg the letter may be produced, and that will speak for the contents.]

Q. Who were those you mentioned the transaction to, besides Mr. Wardle?

A. I do not recollect.

Q. How long ago is it since you mentioned it?

A It was since I wrote the letter to Mr. Adam, I did not know Mr. Wardle then.

Q. Who were present when you mentioned it, besides Mr. Wardle?

A. I do not know, except it was a young lady; there was no man present.

Q. To what man did you ever mention it?

A. To many; I don't know whom.

Q. Do you know Major Hogan?

A. I do not know him; I never saw him. Mr. Greenwood sent me word by Taylor, the shoemaker, that he was sorry I was acquainted with Finnerty. I never saw the man in my life, except eight or nine years ago, at Margate.

(*By* Mr. Croker.)

Q. Do you recollect the particulars of your last conversation with Mr. Robert Knight?

A. Yes: he asked who had taken the house for me? whether the Duke and I were intimate now? I said that he had forgotten both me and the debts, for which the people were pressing me, and that it was impossible to plead my marriage to them all. I said that I would publish an account of his Royal Highness's conduct, if he did not act as became him; and Mr. Knight requested that I would take no notice of him, or his brother, in any memoir I might write.

Q. Did he make any other request than barely that you would spare him and his brother? A. No.

Q. Had you any more conversations than one with Mr. Wardle on the subject of this night's business?

A. No; nor do I wish to hear any more of it.

Q. Are you in the habit of seeing Colonel Wardle? A. Yes.

Q. Have you had any conversation with Colonel Wardle on this business within these three days? A. No.

Q. Have you had any since Friday last? A. No.

Q. Did you see Colonel Wardle on Saturday last?

A. Yes; I saw him at the Opera House.

Q. Did Colonel Wardle acquaint you, at that time, with the present transaction, and mention his intention of calling you as a witness?

A. I was first acquainted with the business he intended bringing forward, when I saw it in the newspapers. I was very angry, and even had some words with him, for the disrespectful mention he had made of a friend of mine, Mr. Donovan. Mr. Wardle took some letters of mine, without my permission, which I have not been able to get back since.

Q. Was it on Saturday last you saw the newspapers?

A. I cannot charge my memory with the recollection.

Q. Did you see Mr. Wardle on Sunday last?

A. I see him almost every day, sometimes every other day. When I heard he was going to bring this business forward, I said I would get out of town, but he told me that if I disobeyed the summons of this House, I should be sent to prison.

Q. Did you see Colonel Wardle yesterday?

A. I think I did.

Q. Have you any doubt as to whether you saw him?

A. I believe I did not.

Q. Are you certain now that you did not see him yesterday?

A. I think I am; I do not remember that I was at home the whole day.

Q. Did you see Colonel Wardle this day? A. I did.

Q. Do you still adhere to your former answer, that you had no conversation with him within these three days?

A. He told me, I do not exactly recollect when, that I must obey the summons, and as I was to attend as a witness, I must speak the truth, or the House would send me where they had sent Sheriffs before.

Q. Did you shew the note to the Duke of York before you asked for the change of it?

A. I shewed it him after dinner one day.

Q. By whom was the message concerning Finnerty conveyed?

A. By Taylor. He told me that he had just left Mr. Greenwood, who said he understood that I was connected with pamphlet writers, and, among the rest, with one Finnerty, which I then denied, as I do now.

Q. Did Mr. Robert Knight ever call on you alone, after you had received the 200*l.*?

A. Many times.

Q. Did you ever say to Mr. Robert Knight, that you were anxious to conceal that transaction from his Royal Highness? A. No.

Q. If any one represented you as having said so, do you declare him to have spoken falsehood?

A. Certainly.

(*By* LORD FOLKSTONE.)

Q. Do you recollect what was stated in the note you received from Dr. Thynne?

A. I do not recollect.

Q. I considered you to have stated that the 200*l.* was brought you in a note from Dr. Thynne, containing some compliments, is that fact?

A. I think I can say positively that *the notes were contained in a letter from him; because I remember sending my maid down to give the man a* guinea. I do not recollect what was contained in the letters besides money. I did not expect to be brought here about it, but supposed that to be the finishing of the thing.

Q. Are you acquainted with the person who brought this note to your house?

A. It was brought by a man-servant, but I did not know him.

Q. Do you recollect at what time it was brought?

A. About the middle of the day; I cannot speak to the exact hour.

Q. You stated that the exchange took place a few days after the application made to his Royal Highness?

A. Yes.

Q. When did it appear in the Gazette?

A. Of course on the same day that it took place.

Q. Had you any reason for wishing to conceal the visits of Mr. Knight from the Commander in Chief?

A. I never was desirous to conceal his visits, or those of any other gentleman, from his Royal Highness.

(*By the* CHANCELLOR *of the* EXCHEQUER.)

Q. Can you state the particulars how Mr. Wardle obtained the letters from you?

A. One morning he took some parcels without any sanction from me; when I asked him for them he laughed it off, saying they were some love secrets, and I never have been able to get them back since.

Q. Were the letters taken away before the conversation respecting this inquiry?

A. Yes. I do not recollect how long.

Q. How did it happen that your letters were so exposed as that he could take them?

A. From the confusion I was in at the time, being about to remove to my mother's?

Q. Does the Witness wish to be understood, as stating that Mr. Wardle took these letters without her leave and authority?

A. Yes.

A. Yes. But he had run away with others before, some nonsensical little notes, which I supposed induced him in this case to take the letters. When I saw him, he said he would give them back to me if I wished, and that he was sorry for the subject of them.

Q. Were these letters from his Royal Highness? A. No.

Q. Why then did you state that they led to this business?

A. Because he read them.

Q. Whose letters were they that could be supposed to lead to such a business?

A. They were upon different subjects.

Q. Were you ever offered money for delivering some letters to his Royal Highness? A. No.

Q. Did you ever lodge any in the hands of any person for the purpose of inducing the Duke to comply with your demands?

A. I never sent any letters but to Mr. Adam, who was one of his Royal Highness's friends.

[Mr. WARDLE requested that the Deputy Judge Advocate should be called; but he not appearing, the examination proceeded.]

Q. How soon after the exchange did Mr. Knight fulfil his promise?

A. Immediately; the same day.

Q. Was it on the same day you asked the Duke of York for change?

A. I did not ask the Duke of York to change it; the servant went for the change.

Q. Do you know the servant's name who procured you the change?

A. I do not know it; it is an irregular thing to ask servants their names.

(*By* SIR FRANCIS BURDETT.

Q. Have you received money upon any other occasion for applying to the Duke of York?

A. I thought that when I had spoken as to this night's business, I should be let away.

[Witness was permitted to withdraw.]

MR. BERESFORD said, in explanation, that he had put a question to the hon. gentleman opposite him, from having observed him leave the room, and, on his return, proceed to a course of examination, in which he appeared to put answers in the witness's mouth. He did not suspect the hon. gentleman of any bad intention, and firmly believed, that his disavowal of such intention was sincere.

MR. WARDLE said, that from the moment he left the room, he never asked the witness a question respecting this business, nor had the slightest intention of it.

MR. WHITBREAD stated, that it was most probably in the recollection of the Committee, that the account which his hon. friend had given of his conversation with witness, who was then examining, was merely an answer to her question.

The CHANCELLOR of the EXCHEQUER asked if there were other witnesses to be produced? and

MR. WARDLE declared himself satisfied to let his case rest there.

MR. ADAM was then applied to by the CHANCELLOR of the EXCHEQUER to submit to an examination, in which he concurred.

Q. Are you certain now that you did not see him yesterday?

A. I think I am; I do not remember that I was at home the whole day.

Q. Did you see Colonel Wardle this day? A. I did.

Q. Do you still adhere to your former answer, that you had no conversation with him within these three days?

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MR. BERESFORD said, in explanation, that he had put a question t the hon. gentleman opposite him, from having observed him leave th room, and, on his return, proceed to a course of examination, in whic he appeared to put answers in the witness's mouth. He did no suspect the hon. gentleman of any bad intention, and firmly believed, that his disavowal of such intention was sincere.

MR. WARDLE said, that from the moment he left the room, he never asked the witness a question respecting this business, nor had the slightest in[illegible]f it.

MR. WHIT[illegible]ated, that it was most probably in the recollection of the [illegible]e, that the account which his [illegible] had given [illegible] with [illegible], who was [illegible] qu[illegible]

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possession of the letter, I gave it into the same custody that had the papers which constituted the investigation I have stated; that letter I shall state nothing of the contents of; I only mean to say, that letter is in a situation to be produced, and, I suppose, from what has passed, there will be no necessity for any thing more. The other fact to which I wish to speak, is with respect to the persons whom I employed. With respect to Mr. Wilkinson, the Committee have already heard the manner in which he has been employed, and those who know him, know his capacity for that employment. With regard to the other person, of the name of Taylor, I can only say, that I never happened to see that person in the whole course of my life. If, in what I have stated, in which the facts only can be considered as evidence, but which I have endeavoured to make intelligible by connecting circumstances, any thing has arisen for any question to be put to me, I am most anxious that all, or any gentleman in the House should call upon me to answer it. The separation took place upon the 11th of May, 1806; the transaction, which has been examined, took place in July, 1805.

(*By the* ATTORNEY GENERAL.)

Q. At what time did his Royal Highness separate from Mrs. Clarke?

A. In May, 1806.

Q. Did you guarantee the payment of this annuity?

A. Never; the Duke of York was at perfect liberty to withdraw it when he pleased.

(*By* LORD FOLKSTONE.)

Q. What was the nature of the promise contained in the letter?

A. I wrote no letter; his Royal Highness sent a short note, merely mentioning my intention to wait on her.

(*By the* ATTORNEY GENERAL.)

Q. Did she appear exasperated at your communication?

A. Greatly; she said she should see him again.

Q. Did you know that she had any intention of explaining to the Duke of York?

A. I do not know; but believe she thought she could prevail upon him again.

GWYLLYM LOYD WARDLE, *Esq. examined by the* ATTORNEY GENERAL.

Q. Had you only one short conversation with Mrs. Clarke upon the subject of to-night's inquiry?

A. That is a difficult question to answer exactly, there are such a variety of cases I have talked over with her from time to time. I do not know exactly the time when I talked this case over with her. I had heard of it before; and, in short, got out of her more than she told me voluntarily. She attacked me very warmly with respect to another case which I mentioned, and I believe she spoke generally of the whole. When the matter was talked over between us, I took my pen and ink, and entered every thing which passed in a book. I do not believe that I have altered any part of what I entered. I believe I never had but one pointed conversation on this case; whether, in speaking of other cases, I have touched upon that, I cannot say; the case has remained in that book ever since; and I took a copy the other day, from that book, of what I had written.

Q. What you stated to the House, was what you had collected from Mrs. Clarke?

A. What in part I had collected from Mrs. Clarke, and in part from other quarters.

Q. Did you state to the House any thing as having passed between Mrs. Clarke and those persons who were immediate agents in this transaction except what you collected from her?

A. I fancy, a good deal. I know some points; but I believe a good deal of the main points were stated from the book, which I had written, when I had conversed with her upon the subject.

Q. Did

Q. Did she state to you that this passed on the 25th of July?

A. No, she did not, certainly. I do not think she was at all aware of the positive date. I remember, at the time of the conversation, she mentioned the circumstance of Lord Chesterfield's christening, and seemed guided by that; that his Royal Highness was going down to that christening; and, by that, she made out the period to be in July, when the transaction took place.

Q. Upon what authority did you state, with particularity, that this took place on Thursday the 25th of July; this agreement for the 200*l*.?

A. She, upon taking note of that christening, and taking note of the Gazette also, was positive then in her assertion (I remember perfectly well) that the thing was proposed on the Thursday, and done on the Saturday; that was her positive assertion, from the first to the last; and that it was that led me to state it.

Q. I understand you to have stated, that she did not state it to be on the 25th?

A. She did not in the first instance; the Gazette was found, and the moment it was looked into, she was so positive as to the Thursday and the Saturday, that no doubt remained upon her mind.

Q. Have you a particular recollection, that it was at last brought to the Thursday, the 25th of July?

A. I have really no further recollection; I have no other guide.

Q. Do you remember that it was the Thursday preceding the Saturday on which the Gazette was published?

A. I do not know how to make the matter clearer; these were the two points that guided me in my assertion; if I was wrong in my assertion, it was a blunder arising from that.

Q. Is the Committee to understand, that, while Mrs. Clarke and yourself were seeking to fix the day on which this transaction took place, the Gazette was found; and, that finding the date of that, and considering the time which had preceded it, you fixed the date on which the offer was made, to be on the Thursday preceding?

A. I mean merely to assert, that, from the evidence Mrs. Clarke gave me, and from the information I got from the Gazette, I fixed it must be on the very day I mentioned. I had no other guide to go by, of one description or another; and I do not see that I am to stand here, however willing I may be, after the heavy examination which that witness has gone through, which, I believe, many gentlemen may think with myself, must tire any gentleman. I do not feel disposed to submit to the same sort of discipline; she never did, to the best of my recollection, give me any other date than that I have mentioned—the christening of my Lord Chesterfield; and I remember her stating, that the thing was petitioned on the Thursday, and done on the Saturday; more than that I really do not recollect on the subject. Any question which I can answer, I shall be willing to answer; but I do not know how further to answer that. I afterwards inquired, and ascertained, when that christening was; and, from that and the Gazette, I mentioned the date, which I thought was correct; whether it was or not, I cannot state.

Mr. Whitbread spoke to order. He did not think it was regular or usual for a member, bringing forward a charge, to undergo an examination to disclose where and how he received his information.

The Speaker observed, that it had been determined, in more instances than one, that no member had a right to examine another, except in a committee of inquiry. In this case the House was in that situation, and it was proper that any member, who could give any information,

information, or throw any light on the subject, should be examined: for instance, a member, Mr. Biddulph, had been directed to attend in his place this day, for the purpose of being examined, and if he did not attend, the House would consider it their duty to send for him.

MR. CANNING—"I wish to be informed if the honourable gentleman intends to answer the questions put to him or not?"—*(A loud cry of Chair! Chair!)*

MR. PERCEVAL said it was not the intention of his learned friend (the Attorney General) to put questions to impeach the veracity of the honourable member, but for the purpose of comparing the communications which he had received from Mrs. Clarke, with the evidence which she had given, with a view to impeach her veracity.

MR. WARDLE—"I do not know how to answer—she never did give me any date but that of the Gazette."

MR. WHITBREAD thought that the right honourable gentleman (Mr. Canning) was precipitate in putting the question which he did to Mr. Wardle, as he thought his fatigue afforded a claim for further time.

The ATTORNEY-GENERAL resumed his examination.

Q. Did you refer to the Gazette in the presence of Mrs. Clarke?

A. (by Mr. Wardle) Not that I recollect.

Q. Was it communicated to her?

A. Not by me.

Q. Did you take away those papers alluded to by Mrs. Clarke, without her consent?

A. I did. She did not give her assent, but I did it in a kind of jocose manner. She said that they related to a friend of hers, Mr. Donovan, whom she did not wish to be touched. There were one or two other letters of light moment. I have them now in my possession.

Q. Then Mrs. Clarke had been in the habit of communicating her letters to you?

A. She had; but nothing relative to this case.

Q. Were they relative to the Duke of York? A. No.

Q. To whom then?

A. To Donovan.

(*By* MR. CANNING.)

Q. Did Mrs. Clarke ever state to *you that she informed* the Duke of York that she wished to go into the country, and that this wish might be gratified without any expence to his Royal Highness, as she had received a loan of 200*l.*?

A. No; she informed me, that she told the Duke of York, that she had received the 200*l.* for the exchange, which sum would be adequate to the expence of the excursion.

Q. Did you receive other information than from those persons examined this night?

A. I did, from several other persons, as I have already stated.

(*By* MR. WILBERFORCE.)

Q. What did you suppose Mrs. Clarke meant, when she told you that she did not wish a certain person to be touched? Did it imply that there were persons to be touched?

A. I believe that she meant only what she expressed.

Q. Had Mrs. Clarke made particular applications to you for the papers that you carried away?

A. She did, and seemed angry that I had not given them up, as they contained charges against Donovan.

Q. Wa

Q. Was the conversation you had on Saturday with Mrs. Clarke that alluded to by her as the only conversation on the subject?

A. No; the conversation was subsequent to my motion.

(By Mr. Croker.*)*

Q. Did you see Mrs. Clarke yesterday?

A. I did, late last night in her drawing-room. She had company, and I had no conversation with her.

(By Mr. Canning.*)*

Q. Did you understand that the application was made to Mrs. Clarke on a Thursday, and that the exchange was gazetted on a Saturday?

A. I understood her so.

Mr. Canning here observed that this was impossible, as he held the Gazette in his hand, in which the exchange was gazetted on Tuesday.

Mr. Wardle answered, that was a blunder of hers, and the only one he had known her to make.

(By Mr. Croker.*)*

Q. Were you at Mrs. Clarke's any time yesterday prior to nine o'clock at night?

A. Yes; I was there yesterday morning, but did not see Mrs. Clark; she was out; I waited some time in expectation of her return.

(*By* Mr. Wilberforce *to* Mr. Adam.)

Q. Do you know that the annuity was ever paid to Mrs. Clarke, and for what length of time?

A. I know nothing about the payment of the annuity.

Q. You stated that the annuity was to be continued as long as the lady's conduct was correct, I wish to know what you mean by correct?

A. I understood that she should be correct in pecuniary affairs, not to make use of his Royal Highness's name to raise money, and to bring it into disgrace and discredit; I did not at that time think she was concerned in any thing similar to the present business.

(By Mr. Beresford.*)*

Q. I wish to know what you mean by raising money?

A. I mean that she should not, on the credit of the Duke of York, borrow money, and leave a doubt on his honour whether he should pay it, or make it liable that his name and her's shoul come in contact with each other.

Colonel Gordon *examined by the* Attorney General?

Q. Do you hold any office under his Majesty's Government?

A. Yes; I am military and public secretary to the Commander in Chief.

Q. Do promotions and exchanges pass through your office? A. Yes.

Q. Do all documents relative to exchanges go under your inspection?

A. Undoubtedly. I make inquiries into their veracity, and report the result, without fail, to the Commander in Chief.

Q. When an exchange takes place, do not you make a minute of it?

A. I do; when it is approved of by the Commander in Chief, it is sent to his Majesty; if it meet his approbation, to the secretary of war's office, to have the names filled up in the commission.

Q. Are the commissions always signed by his Majesty before gazetted?

A. No; the notification in the Gazette is a previous step to making out the commission.

Q. When did the exchange of Lieutenant Colonels Knight and Brook receive the approbation of the Commander in Chief?

A. On the 23d of July, 1805.

Q. You refer to some document in your hand; is it one made in your office?

A. Yes; it is invariably the custom.

Q. Do you keep records of promotions and exchanges? A. Yes.

Q. Who recommended Colonels Knight and Brook for the exchange?

A. This paper, with your permission, I will read; it will speak for itself.

Colonel Gordon read, and then delivered in a letter, from Messrs. Greenwood and Cox, to himself, dated Craig's-Court, July 1, 1805.

BROOK'S SERVICES.

Cornet	8 Dns.	29	June	93
Lieut.	83 F.	7	Oct.	93
Capt. Ind. Co.		14	Dec.	93
———	96	25	Mar.	94
Maj.		13	Dec.	94
Placed on half-pay			Mar.	98
Bt. Lt. Col.		1	Jan.	1800
Maj.	48	24	May	1804
Cancelled		9	June	1804
Maj.	56	5	Jan.	1805

* 23 *July* 05

H. R. H. does now approve of this exchange.

" C. L.

" *cannot be acceded to, H. R. H. does not approve of the exchange proposed.*

" Sir,

" By direction of General Norton, we have the honour to inclose a form, signed by Brevet Lieutenant Colonel Brook of the 56th regiment, to exchange with Brevet Lieutenant Colonel Knight of 5th Dragoon Guards, together with a copy of a letter from Lieutenant Colonel Knight, stating, that he is satisfied with the security given for payment of the regulated difference between the value of the two commissions; and being informed the counterpart of the exchange has been sent in through the agents of the 5th Dragoon Guards, you will be pleased to submit the same to Field Marshal his Royal Highness the Duke of York.

We have the honour to be,
Sir,
Your most obedient, humble servant,
GREENWOOD AND COX.

Craig's-Court, 1st July, 1805.
Lt. Colonel Gordon,
&c. &c. &c.

[The words in *Italics* are in pencil-marks in the original.]

" I beg

" I beg you will be pleased to obtain for me his Majesty's permission to exchange with Brevet Lt. Col. Knight of the 5th Dragoon Guards.

" In case his majesty shall be graciously pleased to permit me to make the said exchange, I do hereby declare and certify, upon the word and honour of an officer, and an gentleman, that I will not, either now, or at any future time, give, by any means or in any shape whatever, directly or indirectly, any more than the regulated difference.

I have the honour to be,
Sir,
Your most obedient, and most humble servant,
W. BROOKE,
Bt. Lt. Col. & Major 56 ft.

To the Colonel, or Commanding Officer, of the 56th Regiment.

I approve of the above exchange, and I verily believe, no clandestine bargain subsists between the parties concerned.

C. NORTON, Colonel.

Q. Is it your course to inquire into the merits of the applicants?

A. Yes; and when I ascertain them, to report them to the Commander in Chief.

Q. If the Commander in Chief draws a different conclusion from you, is it usual for him to explain his reasons?

A. If he did not, I would take the liberty of inquiring what they were.

Q. Was it your approbation of this exchange that led to the result?

A. I have no doubt of it.

Q. Was it from the report made by you?

A. Undoubtedly so.

Q. Have you any doubt that his Royal Highness gave his approbation from the report made by you?

A. I cannot doubt it for a moment.

Q. Was there any delay after the first application.

A. There was; it was stopped; for on my referring to the service of commanding officers, I found Lieutenant Colonel Brook had been seven years on the half-pay list. I thought it necessary to make some inquiry into his services: I had doubts of his being eligible to the situation of a major of cavalry. I enquired, and was satisfied that he was eligible, and entitled to the exchange; and it was from my report that the Commander in Chief assented to it.

Q. Are you quite sure that there was no difficulty or rub on the part of Colonel Knight.

A. I am perfectly sure; if the House will permit me, I will read my answer to Colonel Knight upon this subject.

Colonel Gordon read, and then delivered in, a letter from himself to Colonel Knight, dated the 21st June, 1805.

Horse Guards, 21st June, 1805.

" SIR,

" Having laid before the Commander in Chief your letter of the 19th instant, I am directed to acquaint you, that his Royal Highness has no objection to your exchanging to the Infantry, receiving

the difference; and when an eligible successor can be recommended, your request will be taken to in consideration.

I am, &c.

(Signed) J. W. GORDON."

Bt. Lt. Col. Knight,
5 Dgn. Gds.

Q. Did you perceive any thing in this transaction that distinguished it from any other?

A. Certainly not.

(*By* MR. ADAM.)

Q. Do you know of any instance where the Duke of York interfered to expedite any promotion out of the ordinary course of the office?

A. I never knew him to interfere.

Q. Does it not take a longer time to inquire, when an officer has been on half-pay for a length of time, than if he were in actual service?

A. No; I am in the habit of seeing, daily, from 20 to 30 officers, and conversing with them, from whom I gain information without their knowing my intention.

(*The* ATTORNEY GENERAL *resumed.*)

Q. Did the Commander in Chief ever say to you that either Colonel Knight or Brooke was a bad subject?

A. I am confident not; his Royal Highness is not in the habit of using such language; and if he did it must have made an impression on me.

Q. Did any longer delay take place than was necessary for the inquiry?

A. Certainly not. Colonel Knight's application was made on the 1st of July; the Commander in Chief assented to the exchange on the 23d; on the 24th it was sent to his Majesty for his approbation, and on the 30th of the same month it was gazetted.

Colonel Gordon was ordered to withdraw.

MR. PERCIVAL said, that if there were any witnesses to be re-examined, he hoped the further investigation would be adjourned to Friday, as to-morrow was appointed for the second reading of the bill, authorising the militia to volunteer into the army; and he also thought the hon. gentleman (Mr. Wardle) might give notice of the next charge he wished to be investigated, as the present one could not occupy much time on Friday.

MR. WARDLE said, it was impossible for him then to give notice, as what he intended next to introduce for their consideration, depended, in a great measure, on the evidence of Captain Huxley Sanden, who had not yet arrived in this country.

MR. ADAM deprecated the conduct of the hon. gentleman, in having stated charges so injurious to the Duke of York, without the witnesses to substantiate them being in the country. He conceived that his Royal Highness had been unfairly dealt with.

MR. WARDLE then gave notice, that on Friday he would bring forward the charge relative to Captain Maling. The Committee then rose and reported progress, and asked leave to sit again on Friday.

The minutes of the evidence were brought up and ordered to be printed.

Adjourned at half-past two o'clock.

SECOND

SECOND DAY.

FRIDAY, FEBRUARY 3, 1809.

MR. WARDLE resumed his motion of last night, relative to the production of books from the office of his Royal Highness the Duke of York, which, with the exception of the latter part, was agreed to.

The House then resolved itself into a Committee of the whole House, MR. WHARTON in the Chair.

MR. WARDLE, then desired leave to correct the evidence he had given.

[I wish to state, that it was on Monday morning I waited a considerable time at Mrs. Clarke's house. On the Tuesday morning I did see her, as well as on the Tuesday evening.]

MR. WARDLE *interrogated by* MR. PERCEVAL.

Q. You were at Mrs. Clarke's as you state, on the Tuesday morning?

A. Yes.

Q. And saw Mrs. Clarke? A. Yes.

Q. Was Mrs. Clarke at home when you called?

A. I believe she was up stairs.

Q. How long might you be at her house before you saw her?

A. I do not think very long. A short time.

Q. How long did you stay there?

A. I cannot speak very correctly; it is impossible for me to say exactly; perhaps half an hour or thereabouts. I believe I was in my carriage; but I am not certain.

Q. You came there in your carriage?

A. I think so; but I am not very positive. I have been so constantly in the habit of going there, that it is impossible for me to say; but I rather think I was in my carriage.

Q. Do you recollect how long you were there?

A. Upon my word I do not, or else I would answer most fully; but to say positively that I can name a time, it really is not in my power.

Q. At what hour of the day did you go there?

A. Upon my word I cannot exactly say; I think the first time I saw Mrs. Clarke on Tuesday, was early in the morning.

Q. About what time?

A. Upon my word I do not know the hour; but I remember going down in her carriage with her to the end of the King's Road.

Q. On the Tuesday morning?

A. Yes, on the Tuesday morning.

Q. You called upon her in the morning? A. Yes.

Q. At what time in the morning did you call upon her first?

A. It was after breakfast: I should think about eleven or twelve o'clock. I do not speak positively.

Q. Was

Q. Was it at that time that you called upon her in your carriage?

A. No, it was not; I think I walked there.

Q. How long did you stay with her on that occasion when you called there, having walked there?

A. To the best of my recollection, there were a parcel of workmen putting up looking-glasses, and things of that kind, in the house; and I do not think I was there more than a short time.

Q. Half an hour?

A. Upon my word I cannot say; if it is of any consequence, I will endeavour to recollect. I rather think, to the best of my recollection, but I speak without certainty to these points, that her carriage was at the door I am not certain.

Q. Did you go out with her in her carriage? A. I did.

Q. On that morning?

A. Yes, as far as the bar at the bottom of the King's Road.

Q. Did you call upon her afterwards in your carriage on that day?

A. I think I did in my carriage. I called upon her that day.

Q. At what time did you call upon her in your carriage?

A. I really cannot exactly say; I should think it might have been three o'clock. I do not speak to an hour, but, as far as I can recollect, that was the time. It has since occurred to me where I had been; I had taken a long walk, and returned and went to her house in my carriage.

Q. Did you see her when you called in your carriage? A. I did.

Q. She was at home then?

A. I think she was up stairs, and came down soon.

Q. Then Mrs. Clarke saw you the second time?

A. She saw me the second time.

Q. Do you recollect how long you staid with her the second time?

A. I do not think long; I should think about half an hour: I do not know whether it was so much. I cannot be positive as to the time.

Q. Then I understand you to have said, that you saw her a third time in the evening?

A. As I have before stated, I saw her at night in her drawing-room, with some company, for a very short time.

Q. You called upon her the morning before; the Monday? A. I did.

Q. Mrs. Clarke was not at home then?

A. She was not at home; and I was under a mistake on the former night, in supposing that what occurred on the Tuesday, had happened on the Monday.

Q. Did you see her at all on the Monday?

A. As I was coming away, having waited about two hours, she came in after driving about in town.

Q. Did you stay any time after she came in?

A. No, I did not; I came away immediately.

Q. Then both on the Monday and on the Tuesday you had seen her in the course of the morning?

A. As I have stated, I saw her for a very short time, just as she came in on the Monday.

Q. On the Tuesday, had you any conversation with her on the subject of these charges?

A. I do not recollect that I had; positively no pointed conversation at all.

Q. Did Mrs. Clarke first mention this subject of the charges against his Royal Highness the Duke of York to you, or did you first mention it to her?

A. I fancy in the first instance I asked her questions respecting them.

Q. Do you recollect from whom you first derived your information on this subject?

A. To say from whom is totally impossible. I could not, with propriety, state many of the names.

Q. Have you received the information from Mr. Finnerty?

A. I never received any information from Mr. Finnerty in my life upon this subject. Within these few days he spoke to me, but not any information respecting these charges. I did not know Mr. Finnerty, and as to his giving me any information, he never did. Within these few days, Mr. Finnerty spoke to me respecting Dr. Thynne; I believe the very day before Dr. Thynne was examined. I think it necessary to add that when Major Hogan's pamphlet was published, on seeing the matter held out there, of information being ready to be given to any member of parliamen

parliament who asked for it, I wrote a letter addressed to Major Hogan, and, in consequence of that letter, I had an interview with Mr. Finnerty. I put some questions to Mr. Finnerty, and I found, or at least, I had every reason to believe, that he had not any information at all upon the subject; and none did he give me. I never had any information whatever from Mr. Finnerty that led to any charge which I have made. I never, to my knowledge, saw Mr. Finnerty in my life till he came, in consequence of my letter to Major Hogan, and then I had not any information from him, which led to the charges I have made.

(*By* Mr. Yorke.)

Q. It appears to me there is an entire contradiction in some of the last questions and answers. The witness first says he had no acquaintance, nor ever saw Mr. Finnerty, till the very day Dr. Thynne was examined, and afterwards he says that he had a communication with that man, in consequence of a letter he wrote to Major Hogan, but he got no information from him on this subject. I wish to know which of these statements is correct?

A. I only mean to declare, that I never to my knowledge saw Finnerty in my life, until he came to me in consequence of my letter to Major Hogan.

Q. When was it that you saw Mr. Finnerty, in consequence of your letter to Major Hogan; was it before or after the communication respecting Dr. Thynne?

A. The communication respecting Dr. Thynne occurred in this lobby, or near it: I believe the night Dr. Thynne gave his evidence. It was some months ago when I applied by letter, perhaps a month after the publication of Major Hogan's pamphlet.

(*By* Mr. S. Bourne.)

Q. Was the day, on which you now recollect to have seen Mrs. Clarke three times, the day before your last examination?

A. I have before stated, that I was led to believe, that what occurred on the Tuesday had happened on the Monday; as soon as I got home from this House, I made some enquiries, that set me to rights on that subject, and I took the earliest opportunity yesterday of communicating, in this House, my mistake to the right hon. gentleman the Chancellor of the Exchequer, and to the right hon. gentleman the Speaker.

Q. Are you certain, that the day on which you now recollect to have seen Mrs. Clarke three times, was the day before your last examination?

A. Yes, it was on Tuesday last.

Mr. Beresford was about to put a question, when an hon. member on the opposite side observed, that in his opinion, the present was not a proper time for examining the hon. Colonel; more especially as other witnesses had been ordered to attend.

Mr. Beresford replied, that as the hon. Colonel himself had risen to correct the statement he made on a former night, it was upon that point he would wish to ask him some questions that grew out of the preceding ones. He then asked, what communication did Finnerty make to you as to Dr. Thynne?

Lord Folkstone said, this had nothing to to do with any of the charges. Dr. Thynne had been called as a witness at the bar, and therefore, he should think such a question totally irrevelant.

Mr. Perceval wished to set himself right with the House on this subject. The view he had in putting those questions was this: the manner in which the hon. Colonel had answered questions on a former night, shewed that he had, to a certain degree, contradicted Mrs. Clarke's testimony; as she had stated her not having

having seen that gentleman on Tuesday, she not having been at home that day. That hon. gentleman had then said, he had seen her in the evening, which contradicted her; and now he had come with a greater recollection, and stated, that he had seen her once in the morning, he having made a mistake in confounding Tuesday with Monday. He, however, thought enough of evidence was produced on that point, and the most correct mode would now be to proceed farther in the investigation of the business, by examining other witnesses.

(Mr. Adam, *examined by the* Attorney General.)

Q. Have you the letters to which you referred on a former evening?

A. I wish to state that I have a letter dated Sunday morning, June 19th, without any date; it is indorsed in my hand-writing, June 19th, 1808. I have another letter, dated Saturday morning, without any day of the month; I have not, I observe, put any indorsement of the day of the month or of the year, upon that letter, but it will appear, that that of the 19th of June, 1808, was the first, and that dated Saturday, was the second letter. When these letters were the subject of examination on a former evening, I wished to be possessed of them, in order to have produced them. I had it not in my power to produce them then, not supposing that such a subject would be alluded to; I have now produced them.

[The following letters were read by the Clerk.]

"Sir,

"On the 11th of May, 1806, you waited on me, by the desire of his Royal Highness the Duke of York, to state his H. R. H.'s intention of allowing me an annuity of 400*l.* per annum. H. R. H. by his promise, is now indebted to me 500*l.* I have written repeatedly, but of no avail. H. R. H.'s conduct towards me, has been so devoid of principle, feeling, and honour; and as his promises are not to be depended on, though even given by you, I have come to the determination of making my intentions known to you, for the consideration of H. R. H.;—and thus it is:—I solicit H. R. H. to make the annuity secure for my life, and to pay me the arrears immediately, as my necessaries are very pressing—(this he knows.) If H. R. H. refuses to do this, I have no other mode for my immediate wants, than to publish every circumstance ever communicated to me by H. R. H. and every thing which has come under my knowledge during our intimacy, with all his letters; those things amount to something serious: he is more within my power than may be imagined. Yet I wish for H. R. H.'s sake and my own, that he will make my request good, as I know full well I should suffer much in exposing him in my own mind; yet, before I do any thing publicly, I will send to every one of his H. R. H.'s family, a copy of what I mean to publish. Had H. R. H. only have been a little punctual, this request had never been made. One thing more: should H. R. H. throw up his protection to my boy, (for I thank him much for the past) I hope he will place him on the foundation of the Charter-house, or any other public

public school: the child is not accountable for my conduct. You will please then, Sir, to state this communication to the Duke of York; and, on Wednesday, I will send to your house, to know what may be H. R. H.'s intention; which you will please to signify by a letter to

"Your most obedient,
"humble Servant,
"*Sunday Morning, June* 19. "M. A. CLARKE."

"His Royal Highness must feel, that his conduct on a late affair deserves all this from me, and more.

"*William Adam, Esq. Bloomsbury Square.*
"*Private.*"

Indorsed Mrs. Clark,
19*th June*, 1808.

"11, *Holles Street, Cavendish Square.*

"SIR,

"On Wednesday, finding there was not any answer to my letter, I am led to enquire, H. R. H. the Duke of York, thinks proper not to make good his promise given by you, and that you encourage him in it.

"I have employed myself since, in committing to paper every circumstance within my recollection during the intimacy of H. R. H. and myself. The fifty or sixty letters of H. R. H. will give weight and truth to the whole. *On Tuesday* I have promised to give these up, if I hear nothing further after this last notice; and when once given out of my own possession, it will be impossible to recal. It is to gentlemen, and not any publisher, they will be committed; and those gentlemen are just as obstinate as his Royal Highness, and more independent: they are acquaintances of your's; and to relieve my wants, in pique to others, will do what the Duke will not: however, he has it all within his own power, and so he may act as he pleases.

"I am, Sir,
"Your most obedient,
"M. A. CLARKE."

"*Saturday Morning.*
"*William Adam, Esq. Bloomsbury Square.*"

Q. Were those the two letters that the witness alluded to in her examination?

A. They must have been the two letters that she alluded to, because I am confident I never received any other letter from the witness, unless that I received a very short note of a few lines; I rather think I did, but I am not possessed of that.

Q. Did his Royal Highness ever betray any apprehension to you as to any thing which the witness could communicate respecting his Royal Highness?

A. Never at any time, or on any occasion.

Q. Did you communicate the contents of these letters to his Royal Highness? A. I did.

Q. Did you shew the letters themselves, or state the full contents of them?

Few would yet come, but in the mean time he would proceed with the examination of another witness, namely,

(Mr. Ludowick Orramin.)

Previous to this witness being examined, the Attorney-General stated the purport of his evidence. Mrs. Clarke, in her testimony, had stated, that the note or notes she had received from Mr. Knight were seen by his Royal Highness, because she sent his servant, who was in the house in Gloucester-place, for the purpose of getting change; now it would be shewn by this witness, that there was but one servant at that house belonging to his Royal Highness, and that he never did go out for change. The witness was then interrogated by the learned gentleman.

Q. In whose service are you?

A. His Royal Highness the Duke of York's.

Q. How long have you been in his Royal Highness's service?

A. Eighteen years next September.

Q. Have you been constantly in his Royal Highness's service during that period? A. Yes.

Q. Do you remember when his Royal Highness used to visit Mrs. Clarke in Gloucester-place?

A. Yes.

Q. Did any, and which of his Royal Highness's servants, ever use to attend his Royal Highness there?

A. None but myself.

Q. In what capacity do you serve his Royal Highness?

A. As footman.

Q. At what time in the day did you use to go to his Royal Highness?

A. Sometimes at eight o'clock in the morning. I never went to his Royal Highness in the day.

Q. For what purpose did you use to go to him?

A. To take his clothes.

Q. Did you ever see Mrs. Clarke there? A. Once.

Q. During how long a time were you in the habit of going to his Royal Highness at Gloucester-place?

A. From the year 1804 to 1806.

Q. Are you sure that no other of his Royal Highness's servants, but yourself, went to him there?

A. Yes.

Q. Were you there very frequently during that time?

A. Yes.

Q. What was the single occasion on which you saw Mrs. Clarke?

A. A prompt message I received to take a favourite dog of his Royal Highness's, for Mrs. Clarke to see.

Q. Was his Royal Highness there at that time? A. No.

Q. Are you sure that you never saw Mrs. Clarke at any other time but that at Gloucester-place?

A. Not at Gloucester-place.

Q. Were you ever directed, either by Mrs. Clarke, or by his Royal Highness, to carry out from Gloucester-place a bank note to be changed?

A. No.

Q. Did you ever carry out a bank note from Gloucester-place to be changed? A. No.

Q. Are you quite certain of that fact? A. Yes.

(*By* Mr. Wardle.)

Q. Upon what ground do you assert that no other servant of the Duke of York's ever went to Gloucester-place?

A. Because I had an order from his Royal Highness, that I was to bring those things, and no other servant; and no other dared to do it.

Q. Do you assert, from your own knowledge, that no other servant of the Duke of York's ever went to Gloucester-place? A. Yes.

Q. Can you speak to your own knowledge, that no other servant, except yourself, ever took a letter from the Duke of York to Gloucester-place to Mrs. Clarke?

A. None

e but me.
w many men-servants were
loucester-place?
not know.
e, as nearly as you can, how
i-servants were there?
re were sometimes two in
I never saw more than two
ants.
v many servants out of li-
. One.
at was he?
ler.
s there no other servant out
A. No.
s there a man-cook?
o not know that ever there

v often were you in the ha-
rrying letters to Gloucester-

y seldom.
other servant of the Duke's
carry them, to your know-

not to my knowledge.
you know of any other per-
ook those letters?
I do not.
you carry any letters from
e, that were sent from the
ards to Gloucester-place?
, some I did.
reat many? A. No.
u stated, that you never saw
rke but once at Gloucester-
our life?
I never did.
whom did you deliver these
hich you took?
stly to the housekeeper.
hat was her name?
orite.
hat was the butler's name?
o not know; I believe to the
y recollection, it was Pierce,
iem; the name of the last I
ow.

Sir Francis Burdett.)

l you ever see Mrs. Clarke
e else but at Gloucester-place?
ice.
here?
net her opposite Somerset-

Q. Walking in the street?
A. Walking in the street.
Q. Three times only have you seen Mrs. Clarke in your life?
A. Only three times.
Q. Have you had any intercourse with any one, previous to your coming to this bar, respecting the evidence you have given this night?
A. His Royal Highness asked me, if ever I did receive a note from him or Mrs. Clarke.
Q. Had you any intercourse with any other person besides his Royal Highness previous to your giving your testimony this night?
A. I was asked the same question by Mr. Adam.
Q. Had you any intercourse of the same kind with any other person?
A. Mr. Wilkinson, and Mr. Lowten.
Q. Who is Mr. Wilkinson?
A. A gentleman with Mr. Lowten.
Q. Have you had any other intercourse with any other person, respecting the testimony you were to give at this bar?
A. No.

(*By the* Attorney General.)

Q. Were the servants you speak of as being at Gloucester-place, Mrs. Clarke's servants?
A. To the best of my knowledge they were.
Q. Are you a foreigner? A. Yes.
Q. Do you know that they were not the Duke of York's servants?
A. To the best of my recollection, I believe they were not the Duke of York's servants.
Q. Were the directions from the Duke of York to you, that no one but yourself should go to his Royal Highness, at Gloucester-place?
A. I had his Royal Highness's instructions, that nobody, if a letter came, was to go with it but myself.
Q. When his Royal Highness asked you, whether you had ever carried a bank-note to change from Gloucester-place, what answer did you give him?
A. I told him, I certainly did not recollect that ever I carried any note whatever to be changed.

Q. Can

Q. Can you now take upon yourself, upon recollection, to state that you never did?

A. Yes, I can.

Q. Did you give the same answer to Mr. Lowten, and to the other persons who asked you? A. I did.

(*By* Mr. Wardle.)

Q. Are you certain that the Duke of York never went in his carriage to Gloucester-place?

A. He certainly never did.

Q. Nor on horseback?

A. As far as I know, he never did.

Q. Repeat, as nearly as you can, every thing that passed between Mr. Adam, Mr. Lowten, Mr. Wilkinson, and yourself, upon this subject.

A. Mr. Adam asked me, if I was in the habit of going to his Royal Highness's occasionally, and I answered yes; and then Mr. Adam asked me if ever I recollected receiving a note either from Mrs. Clarke or his Royal Highness, I said I never did; upon which Mr. Adam sent me to Mr. Lowten and Mr. Wilkinson. Mr. Wilkinson asked me my name again, and how long I had been with his Royal Highness, and then asked me concerning these notes, if I ever changed any note for Mrs. Clarke or his Royal Highness, of that description, there; I answered no. That is, as nearly as I can recollect, what passed.

Q. Has the Duke no valet de chambre that ever went to him at Gloucester-place, either at night or in the morning?

A. To my recollection, his Royal Highness had no valet that ever went to Gloucester-place.

The witness was directed to withdraw.

Mr. Wardle wished to call another evidence or two on matters arising out of this examination; but this not being admitted, he begged to put a question to Mr. Adam.

Mr. Adam, *examined by* Mr. Wardle.

Q. Having stated that you have served his Royal Highness the Duke of York gratuitously, may I be allowed to ask, have you a son in the army?

A. I have, he is a lieutenant-colonel of the 21st regiment of foot.

Q. At what age was he made lieutenant-colonel?

A. I will answer that question. But as I have received a letter, which I will presently read to the House, they will see the necessity of my answering that question, by stating the introduction of that person, and the progress he made in the army. (*Hear! Hear!*) General Sir Charles Stewart, who was a friend of my early life, asked me if any of my five sons had a disposition or inclination for the army. I told him that there was one of them, then fourteen or fifteen years old, who I thought had a strong tendency that way. He said, you know my friendship for you, and the rules of the service permit my making him an ensign. He gave him the commission of ensign; his regiment was in Canada, and the young person never joined it, but was sent by me immediately to Woolwich, to receive a military education regularly; and as I am asked a question of this sort, and know its tendency, from the letter I have in my pocket, I do not think it unbecoming in me to state, of so near and so dear a relation, that he distinguished himself extremely in his progress at Woolwich. (*Hear! Hear!*) He received a second commission of lieutenant from General Sir Charles Stewart, equally gratuitously with my services to the Duke of York. When Sir Ralph Abercrombie, whom I likewise had the honour to call my intimate friend, was about to go out to the Helder, he went under him at the age of sixteen as a volunteer. The House will pardon me, for it is impossible for me not to feel upon this subject; I must state his merits. That youth landed in a hot fire, and he behaved so as to receive the thank

of every body around him: he remained actively engaged in every engagement during that expedition; he had the command of such a subdivision of men as a lieutenant commands, and they were of those troops that were raised as volunteers from the militia; they were raw to service, they required much management, and yet he contrived to conduct them well. When he returned to this country, he received from his Royal Highness the Duke of York, without any solicitation whatever on my part, so help me God, a commission in his own regiment, the Coldstream, having paved the way to make him a lieutenant in his own regiment, by giving him a commission in one of the regiments that was raised just after the affair of the Holder. I do not recollect the particular circumstances, but it will be easy to get them at the war-office, if that is necessary. He remained in the Coldstream regiment at home until the expedition to Egypt, when he went again under Sir Ralph Abercrombie, where he was accompanied by his friend at Woolwich, who had made a similar progress with himself, the son of Sir John Warren, who was killed by his side. He was one of those who landed with the Guards in the illustrious landing commanded by Sir Ralph Abercrombie, and covered by Lord Keith. I have the happiness to say, that he distinguished himself equally upon that occasion. When he returned home, the Duke of York again gratuitously transferred him to his own regiment, with the rank of major; and he rose, as a matter of course, at the age, I believe, of not quite twenty-one, to the rank of lieutenant-colonel in the second battalion of his own regiment. When Colonel Wilson went abroad with General Maitland, Colonel Wilson intimated to me, that it would vacate his lieutenant-colonelcy; and the only time I ever mentioned his name to the Duke of York was to mention that fact, and to leave it to his Royal Highness to do as he thought fit: his Royal Highness put him in the first battalion: and I have the happiness to think, that he has been a constant credit to his country, and has commanded as well, from the moment he was appointed lieutenant-colonel, as any one in the service; and I desire general officers in the service to speak to that. If General Moore were alive, he could do it. (*Hear! Hear!*) I now beg leave to read this letter, which I should have considered a mere trifle, if it were not for this question, and put it into my pocket, and probably into the fire: it is written in red ink. (*Read! Read!*)

"SIR,

"Your character was once respected, but that is now all over; your shifting in the House of Commons, respecting the Duke of York's amours, would entitle any other man to be dubbed a pimp; your activity has been rewarded; you have got your son to be a lieutenant-colonel at the age of twenty: bravo! go on! induce the House of Commons, if you can, to decide that a prince should not be brought to account for profligacy to his w——e; induce them to resolve, that a prince need not care for the good opinion of those who pay him—if they do, such principles cannot be established by the authority of the Bear-Garden. Reform in Parliament is wanting: it is not when Hannibal is at the gate that reform should be thought of; it should be adopted at once. I blush for you, and the light in which you appear before the public. The business of the Duke of York is now before the house, and upon their decision of that question depends their damnation or salvation."

"There

"There appears no signature to this letter: I read it to explain the reason why I did not proceed directly to answer the honourable member's question, and I hope have satisfied the House."

Mr. Ellison—"I regret that a letter of this nature should have been produced at all; it is an anonymous attack; and, as such, is too contemptible to be brought under the notice of Parliament. I am sure I feel much for the honourable gentleman, and pity him; but still I do not approve of the production of such a paper as that which he has read."

Mr. Adam—"I am as unwilling as any one to enter any proceeding on the letter; but when I was asked such a question as the hon. member was pleased to put to me, I think I was bound in justice to my own character, to give a full explanation, and the production of the letter was essential to it. If the hon. gentleman had considered my feelings, he would not have objected to me that I brought this letter before them; he would have seen and admitted its necessity."

Mr. Ellison—"I was of opinion that I had been sufficiently guarded in what I said, to avoid giving any offence to the hon. gentleman; and I must still think that such a nameless production was beneath the attention of Parliament."

Mr. Fuller—"I do not think that the letter which has been read, should only be considered as an anonymous one; it contained a threat to a member of Parliament. This should be made a general matter. If the hon. gentleman opposite acted right—*(Order! Order!)*—instead of disapproving the production of the letter, he would recommend a reward of 500*l.* to detect the writer." *(Order! Order! Chair! Chair!)*.

Mr. Lyttleton—"I am sorry to be obliged to call the attention of the house to a question of order. What has fallen from the hon. gentleman opposite, touching the spirit and feeling of an hon. gentleman near me, is altogether out of order. If threatening letters are not to be tolerated, neither is a threatening manner. *(a laugh)*. I would wish that the letter, and the question that led to it, should be altogether expunged, agreeing as I do with the hon. gentleman near me, that it should not appear upon the minutes of the House."

Mr. Fuller rose amid a cry of *Order!* and was obliged to sit down.

The Chancellor of the Exchequer—"I do not believe that any individual is of opinion that the letter should be inserted in the minutes, but I have every objection to expunging the evidence."

Mr. Ellison assented to this opinion.

Mr. Sheridan—"I think the letter ought to be expunged. I wish to know if the short-hand writer has given the words "have you a son in the army?" as the whole of the question proposed by my hon. friend? *(Yes.)* This point is extremely material, for the short-hand writer has been mistaken (I am sure not willingly) in the omission of the sentence with which my hon. friend prefaced his question.

question. The question, as put by him, was, "As you stated on a former night that you served the Duke of York gratuitously, allow me to ask if you have a son in the army?" Now the inference to be drawn from the question standing thus is, that it was meant to impeach the testimony of the witness, and prove, that though he was not remunerated by a salary, he was remunerated by the promotion of his son."

MR. WARDLE.—"My right hon. friend has stated correctly the manner in which I prefaced my question, but has mistaken the intention with which I put it. I declare that I had no view whatever of impeaching the hon. gentleman's testimony; but as every thing that fell from him on this business had great weight, from the circumstance of his being gratuitously concerned for the Duke, I wished to collect, by this question, that some circumstances existed which rendered him not so entirely free from bias."

MR. FULLER rose again, amidst a cry of *Order!* and was obliged to sit down.

SECOND CHARGE.

MR. WARDLE then rose to state his second charge.—"In calling the attention of the House to this charge, I wish to be understood as acquitting the gentleman, whose promotion I complain of, from any impropriety whatsoever. I am sure he is an honorable and deserving man. I think I can prove to you that Captain Maling was appointed to a commission in November, 1806, and promoted to a company in 1807, though the regular period that should intervene between the first appointment and the company, is above two years. Now, what I complain of is, that such a system must injure the service, as it must have a tendency to disgust subalterns. I can make it appear that there are many who, after various services, and with all the advantages of recommendation which that gentleman possessed, still remain to this day, without even being allowed to purchase. The gentleman, whose promotion you are now to consider, was a clerk in Mr. Greenwood's office, whence he was removed into the army. I do not mean to say that he was at the office ever since his appointment. *(Loud cries of Hear! from the ministerial side.)* I understand what is meant by that cry; but if I were guilty of any inaccuracy, I hope I may be allowed to correct it upon farther consideration; what I intended to say was, that he might be found at the desk some months after his appointment." *(Some murmurs.)*

MR. BOURNE—"I remember the charge of the hon. gentleman distinctly. It stated not merely the promotion of Mr. Maling in such a time, but his promotion without one hour's service; we are now told, that the charge is simply his promotion, when other subalterns were not promoted; but this is a matter which must al-

ways be left to the discretion of the Commander in Chief. I lament that charges were not stated distinctly, and taken down, we should not then have incurred the danger of being told that we mistook their nature—*(Hear! Hear!)*—and the meaning of the accuser. I hope the House will go into the inquiry how this great promotion was obtained; a company in an African corps—a corps of convicts and deserters."

Mr. Wortley regarded the proceeding as the most cruel he had ever witnessed. When a charge of so serious a nature as corruption was made upon so high a personage, the individual who brought it forward should have well ascertained its truth. The charge was corruption; and now, it seems, that Colonel French, whose testimony is essential, is absent in the West Indies. As we have come to the charge at all, we are bound to go through with it.

Mr Croker stated, that he had taken notes on the former night, in the case of Captain Maling, as he considered it the most serious of the charges; and he recollected perfectly this strong expression of the hon. member, "that Mr. Maling was still to be found in Mr. Greenwood's office." If the hon. gentleman had stated it in the manner he had to-night, the House would not have agreed to go into it.

Colonel Wood corroborated the assertions of the hon. member's, with respect to the difference between the charge, as stated on the former night, and on this. As stated now, it was, in fact, no charge; the Crown had a right to appoint such persons as it pleased; and if the arrangement as to standing was observed, they would have no pretence for farther inquiry, it would interfere with the prerogative of the Crown.

The Chancellor of the Exchequer stated, that he wished the House to go into the question. It might be a matter for future discussion, whether this inquiry had been instituted upon weak grounds, and the time of the House occupied unnecessarily?—*(Hear! Hear!)*—A charge had been brought against his Royal Highness, and though the hon. member who had made the charge had denied it himself, he would rather that it should be denied by witnesses produced at the bar.

Mr. Wardle said, that if, in the heat of the moment, he had gone any length beyond the charge which he had stated this night, he was ready to acknowledge that he had gone farther than the notes in his hand could justify. Never, from the first to the last, did he think of extending it so far, nor of attaching any impropriety to the conduct of the gentleman who was promoted. He had known that he was acting some time in Ireland. He did not wish to create any delay to the Committee, and was willing to adopt any line they thought proper. *(Cry of "Go on! go on!")*

Mr. Dennis Browne wished, before they went into the inquiry, to ask the hon. gentleman a question: Did he deny that he had made use of the words that had been quoted, or was he willing to relinquish them from better information?

Mr.

MR. WARDLE said, that he had obtained no better information since; what he had stated upon the former night was, that for some time after his appointment to the ensigncy, he might be seen at Mr. Greenwood's office. (*A cry of No! No!*)

MR. ELLISON thought the gentleman was bound to make good his case, and they were bound to their constituents to prosecute the inquiry. (*A cry of Go on! go on!*)

[COLONEL GORDON *called in, and examined by* MR. WARDLE.]

Q. What were the merits and services that obtained Captain Maling his rapid promotion, and the gift of his three commissions?

A. I will state them to the House. The first recommendation for the ensign's commission of Mr. Maling I have now in my hand.

[Colonel Gordon read the following letter:]

"*London, 20th Nov.* 1805.

C. L. agreed to.

"SIR,

"As I am very anxious to have the regiment under my command complete, I took the liberty of submitting to his Royal
Oct. 1804. *Nov.* 1804.
Highness the names of Ensigns Budd and Warren (the senior of their rank and of the year 1804), for two of the vacant lieutenancies, which his Royal Highness was graciously pleased to accede to; I should humbly beg leave to recommend in their succession ——— Murphy and John Maling, gents. They are both very promising young men, and of the full age prescribed by his Majesty's Regulations.

I have the honour to be,
SIR,
Your most obedient, and most humble Servant,
J. DOYLE, Lt. General,
Colonel 87th."

"*Lt. Colonel Gordon*, &c. &c. &c.
Horse Guards."

On the formation of the Garrison Battalions in November, 1806, when the men for limited service were taken out of the body of the army, and placed into separate battalions, it became necessary, of course, to officer those battalions. Ensign Maling, then with the 87th regiment, was, with four ensigns, selected for the Fourth Garrison Battalion, then in Guernsey—in the same place in which he was serving. Ensign Maling was the senior of three of those ensigns, and he was of that standing in the army, which entitled him, not only to promotion in that corps, but into almost any other corps in his Majesty's service. That will account for his promotion to a lieutenancy. Lieutenant Maling joined the Garrison Battalion to which he was appointed, and remained with it a considerable period. In August, 1807, this letter was written to me

[Colonel Gordon read the following letter:]

"*August* 17, 1807,
COX AND GREENWOOD.

"SIR,

"I have to beg you would be pleased to lay before his Royal Highness the Commander in Chief, my request, that Captain Charles Doyle, of the first garrison battalion, may be transferred to the 87th regiment, in which corps there is a vacant company, *vice* Edwards *cashiered*.

"I take the liberty to inclose a request on the part of Lieutenant Maling of the fourth garrison battalion.

I have the honour, Sir,
to be your obedient servant,
C. W. DOYLE.
Lt. Colonel, 87th,
Commanding 2d Bat."

"*To Lt. Col. Gordon,*
&c. &c. &c."

"Lieutenant Maling, of the fourth garrison battalion, humbly requests to be removed back into the 87th, their being vacancies in that corps, and the ensigns who were senior to him are all promoted."

"*August* 17, 1807."

Colonel Gordon.—Consequently he could not be an Aid-de-camp. The statement of the thing was considered as sufficient; the regiment being ordered for embarkation, the Commander in Chief would not permit it, nor could the officer, consistently with his own honour, accept it. The next that we heard of Lieutenant Maling, now Captain Maling, was on the augmentation of the Royal African corps from four companies to six companies. In the month of last September it became necessary for the Commander in Chief, to recommend to his Majesty two officers to fill those vacant companies. Lieutenant Maling having been recommended to the notice of the Commander in Chief, from the paper now before the House, he was selected for one of those vacant companies; but before he was so selected, I spoke to his brother, and asked him if he could answer, that if his brother, Lieutenant Maling, was appointed to a company in the African corps, that he would join that corps, and go with them instantly to Goree; the brother assured me that he would answer for his doing so; in consequence of which I submitted his name to the Commander in Chief for one of those vacant companies, to which he was accordingly appointed. After he was appointed, I sent for Captain Maling, and repeated to him, as nearly as I can recollect, the very words I repeated to his brother. He expressed himself much honoured in the appointment, much flattered with my notice; and that he was in readiness to set off instantly to the army depôt, to which place I believe he did set off. Many of the African corps were at that time on board a prison-ship. When this prison-ship became too crowded to hold all the men that it was necessary to put into it, a detachment was sent to Castle Cornet, in the island of Guernsey, the only place of security to which men of that description could be sent. Captain Maling went with it: and the next that I heard of Captain Maling was this letter, two months and a half after he had been appointed.

Colonel

[Colonel Gordon delivered in the following letter:]

"*Guernsey, 25th July,* 1808.

"SIR,

"The Secretary at War having notified to me, that I am to be allowed one Aid-de-Camp from the 25th of April, I beg you may submit to his Royal Highness the Commander in Chief my request to be permitted to recommend Lieutenant Maling, of the 87th Regiment for that situation.

I have the honor to be, Sir,
Your most obedient, humble Servant,

"*The Adjutant General of the Forces,* JOHN FRASER,
&c. &c. &c." M. G."

(Copy.) "*Horse-Guards, 30th July,* 1808.

"SIR,

"I have the honour to acknowledge the receipt of your letter of the 25th inst. and to acquaint you, that the 2d battalion of 87th Regiment, to which Lieut. Maling belongs, has been ordered to be held in readiness for immediate embarkation for foreign service.

I have, &c.
(Signed) HARRY CALVERT,
"*M. General J. Fraser, &c. &c. &c.* A. G."
Guernsey."

"SIR, "*Guernsey, 20th Dec.* 1808.

"I beg leave to request permission of his Royal Highness the Commander in Chief, to employ as my Aid-de-Camp, Capt. John Maling, of the Royal African Corps, who is at present stationed in this island with part of that corps.

I have the honor to be, Sir,
Your most obedient, humble servant,

"*The Adjutant General* JOHN FRASER, M. G."
of the Forces."

Indorsed: *Dec. 27th.*

"There was a very large proportion of these men at the depôt, on board the prison-ships, and in other places of confinement; and of these, it was reported that some were men of less bad conduct than others, and might be usefully employed as soldiers, but that it was hard to keep them as prisoners for such a length of time as might elapse before they could possibly embark for Goree. The only place for them is *Castle Cornet,* in Guernsey, where their predecessors were, and where these men may be trained and formed prior to embarkation for Africa.

"Capt. Maling is a good young man, and I should imagine, so long as the CORPS REMAINS IN GUERNSEY, there could not be any objection.—Maj. Chisholm left town yesterday for Guernsey."

(Copy.)

Copy.) "*Horse-Guards, 28th Dec.* 1808.

"SIR,

"I have had the honor to lay before the Commander in Chief your letter of the 20th instant; and am directed to acquaint you that his Royal Highness approves of Captain John Maling of the Royal African Corps, being employed as your Aid-de-Camp, upon the Staff of Guernsey, so long as a detachment of that corps remains in Guernsey.

I have, &c.

"*M. Gen. Fraser*, &c. &c. &c. H. CALVERT, A. G.
Guernsey."

Q. Can you state upon your own knowledge that there are many subaltern in the army of longer standing, and stronger claims to promotion, than Capt Maling possessed, and yet who are still subalterns?

The CHANCELLOR of the EXCHEQUER objecting to the question, the witness was ordered to withdraw.

The CHANCELLOR of the EXCHEQUER then observed, that if the House were going into any general inquiry, for any legislative purpose; if they were considering the expediency of a reform in the present system of the army, this question would be applicable; but he denied that in the present case it could with propriety be put.

SIR F. BURDETT did not know what the charge was; he therefore wished the hon. gentleman would state wherein the supposed guilt of the transaction consisted, that he might judge of the propriety of the question.

MR. CROKER was of opinion that the case was now ripe for the Committee to decide upon.—*(A cry of No, no!)*

SIR F. BURDETT wished that the question should be withdrawn.

The CHAIRMAN asked, whether the hon. gentleman was resolved to press the question? as, if so, he should take the sense of the Committee upon it.

MR. WARDLE thought the question necessary to his case; but if the right hon. the Chancellor of the Exchequer would put it in any other way, so that it answered the purpose he intended, he would shape it by his direction.

MR. WHITBREAD considered that the point for their decision was, whether the charge should be withdrawn? if not, he thought the question should be admitted.

The CHANCELLOR of the EXCHEQUER said, that he had stated his reason why the question should not be put, he would wish to hear from those who differed from him why it should.

MR. TIERNEY said, that the bare circumstance of appointing a officer in the regular way could not possibly be construed into crime. He agreed with the right hon. gentleman opposite as to the impropriety of the question; but, he asked, was not the whole transaction an impropriety? As they had gone into a Committee on the business, and adopted such a line of examination, he thought they should not refuse to put the question.

The SECRETARY at WAR objected to putting the question.

Th

The CHANCELLOR of the EXCHEQUER said, that the House must go on with the proceeding, as they entered into it; but still they were not bound to put every question, without regard to its reference to the case. If such a principle were adopted, where would it end?

MR. TIERNEY said, that if this question were refused to be put, the hon. gentleman might refuse to put any other. He thought that such refusal would be an injury to his Royal Highness; it would enable people to say, that, just at the moment when the pinching question was put (though he was far indeed from thinking it a pinching question), the Chancellor of the Exchequer interposed, and the investigation was defeated.

MR. CANNING confessed that he wished the question could be asked, but a difficulty of this sort presented itself to him, if it were asked—he did not see what was to prevent the House from calling in people from the street, and putting the very same question to them. It went to require an opinion from the witness, which was no evidence. If the refusal would make any such impression as the hon. gentleman seemed to feel, it was certainly a great misfortune, but regard must be had to their proceedings.

COLONEL BARRY proposed, that that part of the question which respected merits should be left out, and the part only which referred to longer standing retained, then it would be a question as to fact, and not a comparison of the merits of different officers.

MR. CANNING agreed to this proposal.

MR. BOURNE thought that the gentleman should be permitted to withdraw his charge, and the House might come to a resolution that it was compounded.—*(A cry of No, no.)*

MR. PERCEVAL conceived there would be no difficulty in shaping the question, so as to remove all objection, by asking whether there were any officers who had served longer than Captain Maling, and who had not been provided for? This was agreed on; and Colonel Gordon being again called in, the question so modified was put to him.

A. Unquestionably, there are a very considerable number. May I explain to the House: it is the invariable practice of the army, at least it has been the invariable practice of the present Commander in Chief, without one single exception, that no junior officer can be promoted over the head of his senior, I mean in the regiment into which he is so promoted: but it never has been the practice of the army, that the promotion goes in a regular routine of seniority throughout the whole army: I never heard of such a practice. I beg further to explain: I conceive it my particular duty to take care, and report to the Commander in Chief, that any officer whose name is submitted to his Royal Highness is a fit and proper person, duly qualified in all respects, as to character, as to points of service, and as to his Majesty's regulations, for the service into which he is so recommended; that Captain Maling is so, I did certainly conceive; and I do now feel, that he is not only an honour to the corps in which he is placed, but I do firmly believe that he is as promising an officer as any in the army, and as likely to do honour to his country.

Q. Do you mean, that no officer is promoted over the head of another who

who is his senior; do you mean, that no officer is taken out of one regiment and put into another, over the head of an officer of older rank than himself, who was ready to purchase in that regiment?

A. I mean distinctly this: If there should be a vacant company, for instance in the 5th regiment of foot, that any lieutenant that the Commander in Chief recommends for that purpose, must be senior to all the lieutenants of the 5th.

Q. Then a major of one regiment could not be put as lieutenant-colonel into another, over the head of a major in that regiment of senior date and rank to himself?

A. Most undoubtedly not.

Q. Was not Colonel Pigot, of a dragoon regiment, promoted over the head of a senior major who then was in that regiment?

A. I beg to explain, that, when I say this never takes place, it is made a special instruction from the Commander in Chief to every General Officer commanding, that he invariably pursues the practice I have pointed out, except in such cases where he can give strong and sufficient reasons to the contrary. With respect to Colonel Pigot, I cannot venture to take upon myself to speak so decidedly from memory; but I believe the hon. member means Colonel Pigot of the 21st Dragoons, now at the Cape; what the special circumstances of this appointment were, I do not now recollect; but whatever they were, they were on the special recommendation of the lieutenant-general, and colonel of the regiment, Lieutenant-General Tarleton, that I do recollect.

Q. Do you recollect any unpleasant occurrence happening in consequence of that appointment?

A. I cannot say that I do.

Q. Can you, from your own knowledge say, whether at the time of Lieutenant Maling being promoted to a company, any recommendations for purchase from the commanding officers of regiments, of subalterns of senior date to Lieutenant Maling, before the Commander in Chief?

A. Certainly, a great many; this vacancy was not by purchase

Q. Were there any recommendations of senior subalterns for promotion without purchase before the Commander in Chief?

A. It is very likely that there

Q. Can you speak positively fact? A. I think I can.

Q. Do you think that they to any great number?

A. The army is so very extensive I cannot have any hesitation in saying that they must have been to a great number.

Q. Is it not a regulation that officer shall purchase a company, less he has been two years a subaltern?

A. It is a regulation of the Army His Majesty's regulation, that subaltern can be promoted to a company, either by purchase or without under a service of two years.

(*By* Mr. Wortley.)

Q. Do you command the African corps? A. I do.

Q. State what has been the length and nature of your services in the Army?

A. I have served His Majesty nearly for twenty-six years; for last twenty-four of which I have employed in every part of the (the East Indies excepted) where Majesty's troops have been stationed and with very little intermission have been four times to the West dies, and have been there nearly years; I have been twice to America I have been all over the Mediterranean I have commanded a regiment in rica; I have commanded a regiment in the West Indies. It has been fortune, very undeservedly per to have a sword voted for my services to have been repeatedly thanked general officers under whom I been placed. It is, perhaps, a particular part of my service, that I have only served in every situation in Army, from an ensign up to my

sent rank, that a gentleman could serve in, but I have, also, served in every situation upon the Staff of the Army, without one single exception. Of this service, twelve years I was a subaltern, nine of that in constant regimental duty, five years, I think, as major, two or three years as lieutenant-colonel with my regiment, the greatest part of that time abroad.

Q. Were not the regulations for the promotion of the Army, which you have mentioned, set on foot originally by the Duke of York?

A. They certainly were, when the Duke of York became Commander in Chief of the Army. Prior to his being appointed Commander in Chief of the Army, an officer who had money might purchase up to the rank of lieutenant-colonel in three weeks or a month, as fast as his separate appointments could be passed through each separate Gazette.

(*By the* ATTORNEY GENERAL.)

Q. Does the rule that you have stated, of not promoting an officer into another regiment where there are officers senior to him of the same rank that he filled in the regiment from which he comes, apply to appointments with or without purchase?

A. It applies to both; that is, no junior officer can be permitted to purchase over the head of a senior officer, provided that senior officer is also willing to purchase, I always mean; or unless there are special reasons to the contrary; something relating to the misconduct of the person.

Q. Can you take upon yourself to say, that there has been no instance of an officer being promoted into another regiment, where, if it is not a case of purchase, there is an unexceptionable senior officer in the same rank; and where it is a case of purchase, where there is an unexceptionable officer, able and willing to purchase?

A. I have already said, that no junior officer can be promoted over the head of a senior officer in the same regiment, and that the same rule applies to purchase; that is, that *no junior of-*

ficer can purchase over the head of a senior officer into a regiment where a senior officer is willing to purchase; that I never knew that rule deviated from, except in some particular case or cases, upon which a special explanation could be given.

Q. Upon reference to any paper since you were last examined here, have you any means of accounting for the exchange of Lieut. Colonel Knight and Lieut. Colonel Brook not being in the Gazette till the Tuesday?

A. I stated to the House, I believe, in my evidence the last time I had the honour to give it in this house, that I received the Duke's pleasure, his final pleasure, upon the subject of this exchange, on the 23d of July, which date was upon the original paper now on the table of the house. Since that time I have obtained possession of the original paper which was submitted to his Majesty; I now hold that paper in my hand. The exchange was final with the Commander in Chief on the 23d of July, the Tuesday; on Wednesday the 24th it was made out to be sent to the King, but not in time to go by the mail of that day. I beg to inform the House, that the mail passes through the arch-way of the Horse Guards exactly at three o'clock; the King being at Weymouth on Thursday the 25th, I sent this paper to his Majesty by the mail. Here is his Majesty's signature to it. . . "Weymouth, July the 26th, 1805: Commissions agreeably to the above list, to be prepared for my signature." . . . This paper was returned to me on the following day, on Saturday, but too late for the Gazette; it was, therefore, gazetted on the next Gazette day. I believe I stated to the House, that when I talk of the next Gazette, I mean the next Gazette in which military promotions are announced; and it will be found that no military promotions were announced in the Gazette on Saturday. I have said that the Commander in Chief had decided upon this exchange on the 23d of July; on reference to my correspondence for the month of July, I find these papers:

this is an application to the Commander in Chief (through me) from an hon. member of this House, on behalf of his brother, to exchange into the cavalry, with Lieut. Colonel Knight.

[Colonel Gordon read and delivered in a letter from Mr. Huskisson, dated Treasury Chambers, 22d of July, 1805.]

(Copy.) "*Treasury Chambers, 22d July*, 1805.

"My dear Sir,

"The condescension I experienced lately from his Royal Highness, in allowing my brother to purchase a Majority in the 8th foot, is not unknown to you, to whose friendly assistance I was much indebted on the occasion. You will probably recollect that at the time I mentioned to you the probability that my brother would feel anxious for an opportunity of getting back into the cavalry, both on account of his never having served in the infantry, and from the circumstance of his health having suffered so much whilst serving with the 25th light dragoons in the East Indies, that he is strongly advised against returning, at least for some years, to a hot climate. Under these circumstances, I cannot help requesting, if it should not appear too much presumption on my part, that you would submit to his Royal Highness my humble request, that he would afford my brother an opportunity of exchanging into the cavalry. Feeling the great obligation I am already under to his Royal Highness, I should not venture again to trespass so soon on his indulgence, If I had not understood that one of the Majors of the 5th dragoon guards had signified a wish to exchange into the infantry, and that it might be a long time before any other opportunity might occur of bringing my brother back into that service, to which, for the reasons I have now troubled you with, he is so anxious to be restored.

I remain, &c.

"*Lt. Col. Gordon.*" (Signed) W. HUSKISSON."

Colonel Gordon.—My answer is on the 23d of July, the day I mentioned before.

[Colonel Gordon read and delivered in the answer, dated the 23d of July, 1805.]

(Copy.) "*Horse Guards, 23d July*, 1805.

"My dear Sir,

"I have not failed to lay your request, in behalf of your brother, before the Duke of York; and am commanded to acquaint you, that H. R. H. will be glad of any favourable opportunity, by which he can be enabled to accede to it. The exchange with Brevet Lieut. Colonel Knight, 5th dragoon guards, has already been determined upon in favour of Brevet Lieut. Colonel Brook, whose services his Royal Highness was of opinion could not but be favourably considered; but if your brother can find any Major in the cavalry who is disposed to exchange to the infantry of the line, the Commander in Chief will have much pleasure in recommending the same to his Majesty.

Your's very faithfully,

"*W. Huskisson, Esq. &c. &c. &c.*" (Signed) J. W. GORDON."

Q. State what are the regulations that have been established by the Duke of York with regard to regimental promotions, having regard to the period of service in each rank?

A. The regulations are briefly these; an officer must serve as a subaltern two years before he can be a captain, and he must have served six years before he can be a field officer. I never knew any instance of those rules having been broken through, always, as in merchant's accounts, saying errors excepted.

(*By* Mr. Wood.)

Q. How many hours in every day does the Commander in Chief devote to the duties of his office?

A. The Commander in Chief commands my attendance upon him every morning a little after ten; and he very rarely gives up business until past seven in the evening, there or thereabouts, very often past eight.

Q. Is not his Royal Highness particularly punctual in taking care that the business of his office is conducted in such a manner, that reference may always be had to the cause of any promotion?

A. Most undoubtedly he is.

Q. Has not his Royal Highness taken, in the instances where commissions are permitted to be sold, particular precautions to confine those commissions to the regulated price only?

A. He certainly has. I believe it will be necessary for me to trouble the House still further upon this: in the year 1804, when a great augmentation was added to the army of fifty battalions, I did understand that very great abuses were practised with respect to the purchase and sale of commissions; that people endeavoured to obtain commissions unduly; that they endeavoured to impose upon the officers of the army in taking money under the pretence of obtaining commissions, and that this went to a very great extent. I did represent this in the strongest manner to the Commander in Chief, who felt it very sensibly, and expressed the strongest indignation at it, and commanded me to frame an instrument, a copy of which I now hold in my hand, and which was circulated to all the corps of the army. With the permission of the House I will read it.

[Colonel Gordon read the following letter:]

"Circular to Army Agents.

(Copy.) "*Horse Guards, Sept.* 28, 1804.

"Gentlemen,

"His Royal Highness the Commander in Chief having the strongest reason to believe, (from the advertisements that have frequently appeared in the public papers) that an extensive correspondence is carried on with the officers of the army, by persons styling themselves army brokers, to induce them to enter into pecuniary engagements for the purpose of obtaining commissions, contrary to the established regulations, and it being the earnest desire of the Commander in Chief to check, as much as possible, a practice so extremely prejudicial to the service; I am commanded to call your attention to this important point, and to impress upon you the necessity of the utmost vigilance in preventing, as far as may be in your power, any communication whatever with those persons and the officers in your agency. And should it at any time appear that any such commissions shall have been negotiated through your offices, the Commander in Chief will consider it his

duty to recommend to the Colonels of the respective regiments to notice such irregularity, by withdrawing their regiments from that agency, and placing them in other hands.

"I have it further in command, to desire that you may be pleased to convey to the officers commanding regiments in your agency, the most marked disapprobation of his Royal Highness of this improper and secret traffic; and to assure them, that if subsequent to the date of this letter any commission shall be discovered to be so obtained, such commission will be immediately cancelled, and the officer be reported to the King, as having acted in direct disobedience to the orders of the Commander in Chief.

(Signed) J. W. GORDON."

Colonel Gordon.—In consequence of this letter, it was necessary to issue certain regulations, which, perhaps, it will be unnecessary to trouble the House with, but which I will deliver in with my letter. I beg leave to add, that that strong letter was found totally insufficient for the purposes; that it did come to my knowledge, and that I had proof, that those abuses did still exist; that I put that proof into the hands of the most eminent counsel at the time, and they assured me, that I could have no redress against the parties, there was no law to the contrary, and that it did not amount to a misdemeanour. Having mentioned it to the Commander in Chief, I had frequent communications with the then Secretary at War, now a right hon. member of this House, and whom I see in his place; and after frequent conferences with this right hon. gentleman, he did bring into this House, and submit to consideration, a clause, which is now part of the Mutiny Act, inflicting a penalty upon all persons, not duly authorized, who shall negotiate for the purchase or sale of any commission whatever.

(*By* LORD FOLKSTONE.)

Q. You are in the habit of almost daily intercourse with the Commander in Chief?

A. When the Commander in Chief is in town; I do not recollect that I ever passed a day without communicating with him.

Q. At the time that this exchange was effected between Colonel Brook and Colonel Knight, the King was at Weymouth?

A. I have shewn it to be so.

Q. Did that paper, containing commissions to be submitted to his Majesty, go down to Weymouth by the mail coach?

A. I believe so, I had no other mode of sending it.

Q. Do you recollect the Duke of York's going down to Weymouth about that time?

A. Perfectly.

Q. Do you know on what day he went down to Weymoth?

A. I do exactly.

Q. On what day?

A. It was the 31st of July.

Q. You have stated, that according to the new regulations introduced since the Duke of York has been Commander in Chief, a certain number of years must elapse before an officer can be promoted to a certain rank in the army; is any service required by those regulations besides length of time?

A. It is generally understood that an officer must serve six years.

Q. Has it ever come within your knowledge that any officer has been promoted without any service whatever?

A. No, it has not.

Q Has it ever come within your knowledge that a boy at school has had a commission of ensign?

A. Yes, it certainly has, I think in some three, four, or perhaps some half dozen instances; not exceeding that; but those commissions have been surreptitiously obtained; and when it was

was known that the boy was at school, the commission has been cancelled, and that reason given in the Gazette.

Q. Have they been cancelled in every instance?

A. In every instance that has come to the Commander in Chief's knowledge; and the Commander in Chief will be obliged to any gentleman that would point out an instance.

Q. Could you name those instances?

A. Not immediately from my recollection, but I could obtain them from reference; but one I can name. I recollect the Barrack Master of Hythe, I think: the name I do not immediately recollect; but the person I do perfectly, recommending on the score of his own service and great distress, that his son should be recommended for a commission; I recollect also having some suspicion at the time, that this son was not of a proper age; and I do further recollect desiring the officer commanding there, then in command, to examine the young man; and the report of that officer was, that he thought him, though young, eligible for a commission; upon such report the young man was appointed, but when he joined his regiment, the officer commanding that regiment was of a different opinion, and reported him as too young, and I do perfectly recollect that commission was cancelled.

Q. Is that the only instance which occurs to your recollection?

A. That is the only instance that occurs; the name of the boy was Kelly.

Q. You have in that box by you, papers ready to answer questions which have been put to you; had you before you came here any idea of the questions that would be put to you?

A. Upon my word I had not the papers that are now in this box relative to the exchange of Lieutenant-Colonels Brook and Knight, part of which I have shewn to the House. All the others relate to the appointment of Captain Maling; to the appointment of all the officers of the African corps, and to every thing in any manner connected with the African corps.

Q. You had no information of the other questions that would be asked you to-night?

A. Most undoubtedly not.

(*By* Sir A. Wellesley.)

Q. You have stated, that you recommended Lieut. Maling to be made a Captain in the African corp; did you recommend him in your capacity of Lieutenant-Colonel Commandant of the African corps?

A. I most undoubtedly did; because I know it is an extremely difficult thing to get officers to join such a corps as that in such a place; and I thought it my duty to take particular care, that whatever officer was appointed to the African corps, should clearly understand, that nothing was to prevent him from joining it.

Q. Whom did you recommend to the other company, which was added to the African corps at that time?

A. The other officer that was recommended for the company of the African corps, was a Lieut. Edward Hare; his memorial I now hold in my hand.

(*By* Col. Wardle.)

Q. What were the services of Captain Maling's brother, who is, I believe, a captain in the army, who is in the War Office?

A. There is a Captain Maling, an assistant of mine, in the office of the Commander in Chief; I take for granted, that is the person referred to. What his services are as a Lieutenant, I really do not know; I found him as a Lieutenant in the office of the Commander in Chief; and in consideration of his extraordinary good character, and more than common abilities, the promotions of the army going through his hands under mine, I did recommend him to his Royal Highness the Commander in Chief, to be placed upon the half-pay as a Captain, upon which half pay he most assuredly will be placed as soon as an

opportunity offers; but the Commander in Chief has it not in his power.

Q. Do you know whether or not that Captain Maling ever joined and did duty with any regiment?

A. I do not know that he did; and I do not think that he did.

Q. Does not the Commander in Chief require testimonial, that each candidate for the army shall be at least sixteen years of age?

A. That is the general rule; but it sometimes happens that a boy of fifteen may be more strong than a boy of sixteen or seventeen; and all that the Commander in Chief requires is, that he shall be competent to do his duty.

Q. Is it not a general order, that every officer shall join his regiment within one month after his appointment, except in some special instance?

A. It is very probable that it may be so, but I really cannot speak to that.

(*By* Lord Folkstone.)

Q. You are very positive as to the date of the Duke of York's going to Weymouth in the summer of 1805; do you know at what time of the day his Royal Highness went?

A. Upon my word I cannot speak with any degree of accuracy; but it is the custom of the Duke of York to travel in the night, and he probably went in the night.

Q. Do you apprehend that he did go in the night?

A. I cannot give a more positive answer than I did before.

[The witness was ordered to withdraw.]

Mr. Perceval inquired whether the hon. gentleman meant to call any more witnesses; if not, he wished to know what was the next case he proposed going into.

Mr. Wardle said, he could give no answer till Mr. Huxley Sandon arrived in town. When that took place, he should fix what charge he should proceed on.

Mr. Sheridan observed, that after what was past, it was impossible the hon. gentleman himself should not be ready, though his witnesses might not; it was easy for him to name Monday next for proceeding; and if there were no witnesses, the House might postpone the business.

Mr. Canning urged the fixing on the charge which the hon. gentleman would proceed with next.

Mr. Wardle declared he was under a difficulty, as he could not find Mrs. Shaw. He had heard she was at Bath, but she had left it.

Lord Folkstone observed, that from the number of orders that stood for Monday, it was plain that either they or this business, must be put off. He therefore thought it right to allow the hon. gentleman time.

Mr. Canning still insisted he ought to state his next charge; if no witnesses were ready, the house might then postpone.

Mr. William Smith, though he agreed in the propriety of naming the charge, yet thought the hon. gentleman might have good reasons for declining to name it at the present. He considered it not for the credit either of his Royal Highness, or that House, to appear to browbeat any one in the discharge of what he considered as his duty. He could say for himself, and those who sat on the same benches with him, that they were altogether unconnected with, and unconcerned in, the event. As the hon. gentleman stood alone.

done in the business, he should not be put down by the weight of the other side of the House.

Mr. Canning assured the hon. member he was mistaken in the imputation he had thrown out; but he must say, he believed that when he made a disclaim for others, he did so without any authority.

Mr. Smith hoped the House would judge between them. If he disclaimed any participation on the part of others, he was sure, though he did it without their authority, he did not do it without a knowledge of the truth of what he advanced.

Sir Francis Burdett observed, that if, when general suspicion had gone abroad, this was the way to treat those who were bringing forward investigation, there was little encouragement for doing their duty. Gentlemen were at liberty to think what they pleased, but that should never prevent him from doing his duty. The hon. member, in bringing forward his charges, appeared to him not only candid, but even incautious, by agreeing to bring on the business in the way it was done. The proofs did not depend on himself, and he could not say what charge he should bring forward; but if he were asked which was the one most likely, he dared say he could answer to that.

Mr. Canning disdained any allusion to the hon. Baronet; but if there were any who advised in secret, and now sheltered themselves under the disclaimer just made, he was sure they were very different from him.

Mr. Whitbread said, that as the right hon. Secretary had thought fit to make a covert attack on some one, it was fit he should name that one, when he acquitted another *(a loud cry of name, name!)*. When he refused to do so, it was fair to suppose he had no foundation for the imputation.

Mr. Yorke never heard of any one being called on to name a person alluded to.

Mr. Whitbread replied, that when the gesture and look were directed as they were, it would have been as well to have given the name at once, and he had a right to ask, if it were not himself to whom the right hon. Secretary alluded?

Mr. Fuller put an end to the altercation, by observing the House was very hot, and they had better go home and go to bed.

Mr. Wharton, the Chairman, stated the question was, that the Committee do ask leave to sit again, which was agreed to.

The House was then resumed, and the Chairman reported progress, and asked leave to sit again, which was granted.

Mr. Whitbread said, that it would not be doing justice to the Duke of York, to defer the charges of the hon. gentleman on account of the absence of his witnesses.

A desultory conversation then took place between Mr. Wardle, Mr. Canning, and Mr. Perceval.

Mr. Sheridan rose, and said he would but address a few words to the House. It could not be imagined that the hon. Baronet, (Sir Francis Burdett), who seconded the motion of the hon. gentle-

man

man (Mr. Wardle), when he brought forward his statement, had any motive but what was perfectly honourable. He heard the charges, but was not apprised of the evidence to support them. When he first heard the intention of his hon. friend to bring forward the charges against his Royal Highness, he sent a message by a common friend, to warn him against being made the tool of certain persons, of whom he had received private information; and he was sure, that if the hon. gentleman had been thoroughly acquainted with the character of those persons, he never would have occupied so much of the time of the House. The hon. member had stated, that he could prove his charges, and, to call the attention of the House, he recited the names of persons who could prove that he alledged facts. How much then had he lost himself, when he, that night, at a time when the House was anxious for inquiry, stated, that his principal witnesses were not in the country, and that it was out of the power of that House to enforce their attendance. A noble lord near him (Folkstone) stated that orders of particular public consequence stood for Monday. He did not think for a moment they could stand in competition with the business then before the House —an investigation into the conduct of the Commander in Chief. The safety of our military force was depending upon it. Every soldier was looking to the decision of that House with an anxious eye. The hon. gentleman says, if he can prove the case of Captain Sandon, that will make good the whole of his other charges. He ought to have considered, before he made such a bold statement, that Captain Sandon was not in the country, and the House must be aware, that it was proper for the hon. gentleman to have known that his evidence would support the charge. He gave the hon. gentleman all credit for his frankness; but the honour of the House, and the discipline of the army, called on them to decide speedily on the charges before them, for they could not expect the army to be satisfied, or to be in that discipline in which every friend of the country must wish to see it, while there was any thing pending, that went to criminate their Commander in Chief.

Mr. Wardle said, he had no objection that the case of Captain Sandon should be investigated on Tuesday next. He then moved, "That the following witnesses should be summoned to attend on that day:—Captain Sandon, Mr. Grant, Mr. Cockayne, Mr. Corry, Mr. J. Donovan, Captain Tuck, Mrs. Clarke, and Mrs. Shaw."

Adjourned at Twelve o'Clock.

THIRD DAY.

TUESDAY, FEBRUARY 7th.

THE SECRETARY at WAR presented the returns relative to Colonel French's levy of five thousand men, as moved for last night. It was ordered to lie on the table.

The House then resolved itself into a Committee of the whole House, to consider further of the conduct of his Royal Highness the Duke of York; Mr. Wharton in the chair.

MR. WARDLE wished to know whether gentlemen on the other side meant to produce any more witnesses to impeach the testimony he had already offered.

MR. PERCEVAL, on the other hand, desired to be informed whether the hon. member intended calling any additional evidence in support of the charges already gone into, as he had intimated?

MR. WHITBREAD conceived it would be the more regular mode of proceeding to finish the course of examination they had been last proceeding in, before the hon. gentleman was called on for his additional witnesses.

MR. PERCEVAL said, he could not judge of the propriety of that mode of proceeding, as he was ignorant of what they were to be called to; but perhaps the hon. gentleman who spoke last was a better judge, as he might know the subject of their testimony.

MR. WHITBREAD replied, he knew as much as the right hon. gentleman—just nothing on the subject. He contended merely for regularity. MR. JOHN FEW was then called in, and examined by Mr. PERCEVAL.

Q. What business do you carry on?

A. An auctioneer.

Q. Do you know Mrs. Clarke?

A. Not now, I do not.

Q. Did you ever know her?

A. In the year 1803.

Q. Where did she then live?

A. In Tavistock-place, next door to Tavistock chapel.

Q. Did she order any furniture from you?

A. No; at that time I lived in Bernard-street, Russel square, and I had a share in a glass concern in Holborn. She called; and, by direction of my partner, I waited upon her; it was to consult me about fitting up a Grecian lamp *in her back* room. After she had talked a little while, I sat down, and drank some wine with her. In the matter of conversation, from one thing leading to another, she seemed to be acquainted with almost every person that I knew. I sat there perhaps about half an hour; a person whom I understood to be her sister, was present.

Q. Did she represent herself as being a married woman, or a person who had been married?

A. She talked of her late husband, and her children, who were then at school.

Q. What further passed?

A. Nothing more than general conversation; I conceived that she knew

knew almost every body that I knew. I can hardly describe her to you; for I never met with any person who, on the first interview, behaved so extremely polite and genteel to a stranger: I saw her two or three times, and drank wine with her; and she consulted me about the placing of some glasses, and the size and shape of some figures, whether they were too large for the room.

Q. Did she give any orders to you?

A. Yes; she desired I would have a Grecian lamp made, to fit up in the back room, which, I believe, came to about 20*l.*

Q. What was the price of that lamp?

A. About 20*l.* I cannot say exactly; the whole account with me was 20*l.* odd.

Q. When was the order given for this lamp?

A. About the middle of May, about the 18th or 20th of May: the first delivery to her was the 24th of May, 1803.

Q. Did you see any one but Mrs. Clarke at this house?

A. I saw her sister, and I saw her mother, but that was subsequent to my bringing an action against her. When I arrested her, she mentioned to me at the time, that she had purchased that house of Mr. Burton, and given 1,200*l.* for it: I applied to Mr. Burton, and he corroborated her having bought it, but I do not recollect the amount.

Q. Did you ever observe anything which led you to believe she was not a widow!

A. I once called, I believe in the morning, to see whether the lamp was properly hung, or I was asked by an upholsterer to get him a sight of the house, and I saw a cocked hat; I made an observation to the servant, and the servant said her mistress was a gay young widow, and had been at the masquerade the night before, and of course I did not suspect anything after that.

Q. Were you paid for those articles you furnished?

A. Subsequently I was; I brought an action against her, but I was nonsuited.

Q. How so?

A. I do not understand the distinction, but she either pleaded her coverture, or gave it in evidence; I believe there is a distinction, but I do not know which it was.

Q. You were defeated, upon the ground of her being a married woman?

A. Certainly; I was in court at the time.

(*By* MR. WARDLE)

Q. Did you ever write any letter to Mrs. Clarke, upon the subject of this demand?

A. I am pretty certain I did not; I am almost certain I did not; do you mean the demand after my action or before? I believe I did not in either case.

Q. Do you recollect writing any letter, threatening to expose her?

A. I cannot say; I might; I drew up a hand-bill and sent it to her, but whether I sent any note to her with that I cannot say; that hand-bill was warning the tradesmen in the neighbourhood of Gloucester-place, from trusting her.

Q. Do you recollect sending the hand-bill to any body else in a letter?

A. Yes, I do recollect, I enclosed one to the Duke of York, directed to Portman square; I think it was.

Q. Do you recollect whether you wrote to the Duke of York, when you sent the hand-bill?

A. I do not think I made one single letter inside; I am pretty certain I did not.

Q. Are those letters your hand writing?

A. Yes, this is my hand-writing; I had not the least recollection that I had ever written it.

Q. Is that not the hand-bill?

A. Yes, that is the hand-bill; I tried to get a copy of it when I was served with the order of the House but could not.

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[The hand-bill and letter were delivered in, and read.]

"MADAM,

"As I have not heard from you in reply to my last letter, I think myself justified in informing you, that in the course of a week the enclosed hand-bill will be published, which no doubt will prevent any other tradesman from subjecting himself to similar treatment. As the wording of the bill has received the legal saction of very able men in the profession, I am perfectly at ease in regard to any additional threats that may be held out to me.

I remain your obt. sert.

"22d *June*, 1804. JOHN FEW, Junr."

Mrs. Clarke, Gloucester-place,
No. 18, *Portman-square.*"

"CAUTION TO TRADESMEN.

"This is to give Notice to the Tradesmen in the Neighbourhood of PORTMAN-SQUARE, that they cannot recover by Law, any Debt from MRS. MARY ANN CLARKE, formerly of TAVISTOCK-PLACE, RUSSELL-SQUARE, but now of GLOUCESTER-PLACE, she being a married Woman, and her Husband now living, though his Place of Residence was *unknown*, even to herself or her mother. These Facts were proved on the Trial of an Action, lately brought by a Tradesman in Holborn, against this MRS. MARY ANN CLARKE, for Goods *actually* sold and delivered to *her*; but she availing herself of her Coverture, (which to the great Surprise of the Plaintiff, she *contrived* to prove) he could not by Law obtain any Part of his Demand; and being consequently non-suited, an Execution for *her* Costs was, by her Attorney, *actually* put into his, the Tradesman's House!!!

"W. MARCHANT, Printer, 3, Greville-Street, Holborn."

Q. I understand you to have stated, that you were paid your bill; was that subsequent to that hand-bill being published?

A. Of course it must be, I should hardly have published it, if I had had my bill. I received the debt and costs.

Q. Did you recover your bill by any process of law? A. I could not.

Q. You were paid it entirely through the will of Mrs. Clarke?

A. It is impossible for me to say; I did not receive it from Mrs. Clarke.

Q. After being non-suited, and after that hand-bill had been published, Mrs. Clarke paid you your bill?

A. I cannot say it was Mrs. Clarke, I received the money through a Mr. Comrie; it was immaterial to me who paid it.

Q. Did you know Mr. Comrie to be Mrs. Clarke's professional man?

A. That was immposible to say, Mr. Stokes defended the action and afterwards Comrie paid me the money.

Q. Is Mr. Comrie a lawyer?

A. I believe so.

Q. Do you know that he was Mrs. Clarke's lawyer?

A. It is impossible for me to know that, because one defended the action and then it came to Mr. Comire; it was impossible for me to tell.

Q. Did Mr. Comrie defend the action against Mrs. Clarke?

A. No, Mr. Stokes. I believe, because Mrs. Clarke told me afterwards that she never authorized Mr. Stokes to give that plea.

Q. Mr Comrie paid you the money? A. By his clerk.

[*The witnesses was directed to withdraw.*]

(MR. THOMAS STOWERS *was called in, and examined by* MR. PERCEVAL.)

Q. Did you know Mrs. Clarke before she was married to Mr. Clarke?

A. I did not.

Q. Did you know her after she was married to Mr. Clarke? A. I did.

Q. Do you remember the time when Mr. Clarke was married to her?

A. I never knew the time.

Q. What business did Mr. Clarke then carry on?

A. When I first knew Mrs. Clarke, by being wife to Mr. Clarke, he was not in business just at that time; he was a young man.

Q. What business did he afterwards carry on? A. That of a stone-mason.

Q. Was that soon after his marriage?

A. I cannot speak to that; I did not imagine that he was married so soon as I understood he had an acquaintance with this lady.

Q. Did he carry on the business of a stone-mason while she was living with him? A. He certainly did.

Q. For how long?

A. Not less than three or four years.

Q. Was she living with him all that time?

A. As I never visited them, I cannot undertake to say she lived with him all that time, but I conceive she lived with him the principal part of the time.

Q. Had they any children?

A. Not less than three.

Q. Were those children born during the time he was carrying on the business of a stone-mason?

A. Some of them were.

(*By* MR. WARDLE.)

Q. Where did Mr. Clarke live at the time you speak of?

A. The first part of the time he lived in Charles's-square, Hoxton; then he was not in business as a mason.

Q. Was Mrs. Clarke with him at that period? A. Certainly she was.

Q. How long did they live there? A. As I did not visit them, I cannot speak positively; I know it was not less than one year, and, I should imagine, not more than two.

Q. Where did they live afterwards?

A. I do not know of their living any where else, till they went to live in Golden-lane, where he carried on the business of a mason.

Q. When was this?

A. He commenced there somewhere about 1794, and he lived there about three or four years.

Q. Had Mr. Clarke a stone-mason's yard there? A. He had.

Q. At the first place he lived at?

A. In Charles's-square, Hoxton, he lived on his fortune; he had no business.

Q. Did you visit at his house?

A. I never did visit him at any time wherever he lived.

Q. Did you know Mrs. Clarke by sight? A. Yes, I did.

Q. Did you know when Mrs. Clarke parted with her husband?

A. No, indeed, I did not.

Q. You have no guess when she parted with her husband?

A. No further than that it was after they quitted Golden lane I understood.

Q. Do you recollect who told you

A. No: public report.

Q. You know nothing about the matter, of your own knowledge?

A. I do not.

Q. Where do you yourself live?

A. In Charter-house square.

[*The witness was directed to withdraw.*]

(MR. JAMES COMRIE *was called in, and examined by* MR. WARDLE.)

Q. Do you know Mrs. Clarke?

A. I do.

Q. Have you been employed by her in your prosessional line?

A. I have.

Q. What is your prossession?

A. A solicitor.

Q. Had you ever had conversation with the Duke of York respecting Mrs. Clarke?

A. In consequence of Mrs. Clarke's wishing me to wait upon the Duke of York, I said that I should wish to receive

ceive a message for that purpose from his Royal Highness. I did receive such a message, I think in writing; in consequence of which I waited upon the Duke of York in Portman-square.

Q. State what passed;

H. The Duke of York spoke to m upon private professional business I therefore appeal to the chair wit great submission, whether unde those circumstances, I am bound t divulge it.

[The witness was directed to withdraw.]

MR. PERCEVAL then said, that it did not appear necessary tha the witness should be protected from giving an answer upon ac count of professional business, as Mr. Comrie was not to be looke upon as the attorney of the Duke, but that he was Mrs. Clarke man of business.

MR. FULLER got up to make some observations, but the Hous would not hear him.

[The witness was recalled; and on the last question being re peated, he answered: "His Royal Highness wished to know whe ther I could raise him the sum of 10,000l. for him on mortgage?"

The witness again withdrew.]

MR. FULLER again interfered, and spoke to order. He said, h thought it did appear that this gentleman had been employed b the Duke of York, and therefore such questions were not revelant.

MR. WARDLE said, he should be sorry to hurt the feelings of th Duke, or of any other individual; but having been contradicted in strong way the other night, when he stated there had been a professional man employed by the Duke to raise money, it was at least fair he should have an opportunity of explaining what he meant.

After some explanation from MR. ADAM, the witness was again called in, and proceeded as follows:

I answered, that I believed I could. HisHighnessafter some conversation referred me to his man of business, Mr. Adam of Bloomsbury-square. His Royal Highness asked me if I knew him? I replied, not personally, but by reputation. I mentioned that I knew him to be a man of very high character. Shortly afterwards, I called upon Mr. Adam, and saw him, I think he mentioned that his Royal Highness had told him I was to call upon him, (Mr. Adam) we proceeded to discuss the business, and Mr. Adam said that his Royal Highness had occasion for that sum, I think he said to complete the purchase of some tithes in the vicinity of Oatland; I am not quite sure as to that, but I think it was so; and he said his Royal Highness's then solicitors, *Messrs. Farrer and Atkinson*, would shortly send me the necessary abstracts, which they did. In the mean time, I had applied to a client of mine, a rich client, and he had agreed to lend hisRoyal Highness the money. The abstracts were laid before a conveyancer, Mr. Walker, of the Temple. We made some objections, I think, which is usual on those cases, questions to be answered; it generally happens so. The money was ready to be advanced, and the abstracts were returned to Messrs. Farrer and Atkinson, to answer those queries. I should state, that for expedition, (for it was mentioned that expedition was necessary) I had copies made of those abstracts to accelerate the business. I returned the abstracts to Messrs. Farrer and Atkinson,but thosethat I returned were never sent back to me, and the loan

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was afterwards declined, and Messrs. Farrer and Atkinson desired me to send in my bill, which I did.

Q. Had you ever any conversation, either at that time, or any other, with the Duke of York, about Mrs. Clarke?

A. I had.

Q. Do you recollect that he ever assigned any reason that was prejudicial to her character, when he parted with her?

A. The Duke of York stated to me, that he had been served with a subpœna to appear in the Court of King's Bench; I think it was on a trial which was then pending, in which Mrs. Clarke was the defendant; which subpœna had been accompanied by a very severe letter, describing her very improper conduct in having pleaded her coverture to an action brought for goods sold and delivered; and I think, upon a Bill of Exchange, one or either, I do not immediately recollect which. His Royal Highness stated that that was the reason which occasioned the separation.

Q. Do you mean to state, that you understood, from the Duke of York, that she had done so without his knowledge?

A. He did not state that; but he said, after such a thing as that, it was impossible but that they must separate, or words to that effect.

Q. Did he complain of any other bad conduct of Mrs. Clarke?

A. I do not recollect that he did. I think his Royal Highness said, that he had sent the letter and subpœna to Mr. Adam.

Q. Do you recollect any thing further that passed in the conversation?

A. There was something passed about the allowance to be made Mrs. Clarke.

Q. Do you recollect what that allowance was?

A. His Royal Highness the Duke of York and Mr. Adam being present, it was mentioned and agreed to, that she should be allowed 400*l.* a year; but it was expressly mentioned, that she must pay her own debts. Upon my mentioning the difficulty of that, for she had told me she was very short of money, his Royal Highness said, it was not in his power then to pay them, but that she had some furniture and valuable articles with which she could easily pay her debts.

[The witness was directed to withdraw.]

Mr. Perceval stated his opinion, that as these interrogatories did not bring out any thing applicable to the business in question, that the hon. gentleman would feel that this was not the most proper course to be pursued.

Mr. Wardle assented, and said he only wished to put another question to this witness.

[The witness was again called in.]

Q. Do you recollect paying a bill due to Mr. Few, for Mrs. Clarke.

A. There was a Mr. Few who had a demand upon Mrs. Clarke, and I paid that; I do not know the amount.

Q. You paid it on her account?

A. I Did.

[The witness was directed to withdraw.]

(David Pierson *was called in and examined by* Mr. Wardle.)

Q. With whom do you now live as butler?

A. The hon. Mr. Turner.

Q. Did you live as butler in Gloucester-place when Mrs. Clarke was under the protection of the Commander in Chief?

A. Yes I did.

Q. Do you recollect in the summer of 1805, the Duke of York going to Weymouth, and Mrs. Clarke to Worthing?

A. Yes, I do.

Q. Do you recollect Ludowick, the servant that used to attend the D. of York, being ordered by the Duke, on

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an evening about that period, to take a bank bill out, and get it changed?

A. I do not.

Q. Do you recollect any servant being ordered by the Duke to get a bank note changed?

A. I recollect the housekeeper, Mrs. Favourite, bringing down a bill in a morning, and Ludowick going out and getting it changed and coming back, and giving it to Mrs. Favourite again, and she took it up stairs.

Q. Do you recollect any servant being ordered by the Duke to get a bank note changed? A. No.

Q. Do you recollect Ludowick taking out a bank note to be changed?

A. Yes I do, on a morning

Q. Did you hear him ordered to do so by any body?

A. The housekeeper gave him the note; I saw her give him the note, and he took it out.

Q. Do you know the amount of the note?

A. No, I did not.

Q. Did you hear the housekeeper give him the order?

A. Yes, I did.

Q. Do you recollect what order she gave; in what words?

A. No, I do not in particular recollect what order she gave him; but she gave him a note, and he was to go and get it changed.

Q. Are you positive that that note was given on the night, and the change brought back in the morning?

A. I am positive I saw it given.

(*By* MR. BRAND.)

Q. Was his Royal Highness the Duke of York in Mrs. Clarke's house at the time this note was delivered Ludowick to get change?

A. Yes, he was up stairs.

(*By* MR. WARDLE.

Q. At what time in the morning was this?

A. Near eight o'clock.

Q. Do you know that the Duke was up?

A. I am not certain *of that.*

Q. How long did you live wi Mrs. Clarke in Gloucester-place?

A. About fifteen months.

Q. State whether any and what se vants of the Duke of York came Gloucester-place during that time

A. I never saw any one but L dowick.

Q. Can you state, as far as came within your knowledge, th no other servant of the Duke York's came there?

A. I never saw any other serva of the Duke of York's come to t house, but Ludowick.

Q. In what year, and in wh month in what year, did this trans action happen?

A. About three years ago.

Q. Do you know the amount the note?

A. I do not.

Q. Do you mean that that passe about the month of January, 1806

A. I mean in July or August, som time then about; it was hot weathe when Mrs. Clarke went to Worthing; I do not recollect exactly the time, but it was in the summer time.

Q. How long was it before Mrs. Clarke went to Worthing; was it the day before, or two days before, or three days before?

A. I do not recollect exactly; but it was a short time before she went to Worthing.

Q. Was it more than three days?

A. I cannot be exactly certain to the time.

(*By* MR. LYTTLETON.

Q. Is this the only note that you ever recollect Ludowick to have changed?

A. The only note.

Q. Did Mrs. Clarke go to Worthing the same day that the Commander in Chief went to Weymouth; did they both leave London the same day?

A. I think the next day in the morning; that his Royal Highness went away between twelve and one o'clock, and Mrs. Clarke at four or five the next morning.

Q. Was

Q. Was it the morning of the same day that his Royal Highness went to Weymouth, that Ludowick took the note to be changed?

A. It was some morning a little time before.

[The witness was directed to withdraw.]

THIRD CHARGE.

MR. WARDLE then stated, that he would proceed to the next charge, and call Captain Sandon.

(CAPTAIN HUXLEY SANDON *called in and examined by* MR. WARDLE.)

Q. What interest had you in Colonel French's levy?

A. I was concerned with him in the levy.

Q. In what way, and to what extent?

A. A letter of service was given to us both, Colonel French and Captain Sandon.

Q. Do you know Mrs. Clarke?

A. I do.

Q. Did you or Colonel French apply to Mrs. Clarke for her influence with the Commander in Chief, in order to your having this levy?

A. In the first instance we were informed, that it was a person who had great interest with a leading person in this kingdom; we did not know at the moment that it was Mrs. Clarke.

Q. When you discovered it was Mrs. Clarke, state your proceedings?

A. We did not discover till we had the letter of service.

Q. What passed with the person whom you afterwards discovered to be Mrs. Clark, before you knew her to be so?

A. We proceeded upon our letter of service.

Q. Who gave you the information that took you to Mrs. Clarke?

A. Mr. Cockayne, who was my attorney, informed me, that if I had any thing particular to ask for in the War Office, or at the Commander in Chief's Office, in all probability he could recommend me to a person who could do any thing in that way for me that I chose to request.

Q. Did he recommend you to Mrs. Clarke?

A. He recommended me to her agent.

Q. Who was her agent?

A. I understand a music-master of the name of Corri.

Q. Through the means of Mr. Corri had you any interview with Mr. Clarke?

A. I really do not know.

Q. Had you any interview with Mrs. Clarke?

A. It was a long time afterwards that I ever saw Mrs. Clarke?

Q. How long afterwards?

A. I should presume a month after the letter was granted; near upon a month? I cannot exactly say, perhaps to a week; it might be three weeks.

Q. When you had an interview with Mrs. Clarke, can you recollect what passed between yourself and her?

A. Nothing passed between Mrs. Clarke and myself, because every thing was arranged and settled.

Q. For what purpose did you apply to Mrs. Clarke?

A. It was settled previous to that; the letter of service was granted, and I had every thing was asked.

Q. For what did you apply to Mrs. Clarke?

A. Mrs. Clarke wished to see me.

Q. What passed when she did see you?

A. Very

CAPTAIN HUXLEY SANDON.

Published March 30th 1809, by James Cundee, London.

A. Very little. Colonel French asked me to go to Mrs. Clarke, who was, as we supposed, the lady, or the person, or the agent, for we did not know at that time whether it was male or female, at least I did not know; when I went to Gloucester-place, I found it to be a female.

Q. Do you know whether Colonel French had, previously to that, seen Mrs. Clarke?

A. Most assuredly he had.

Q. Do you know when Colonel French saw Mrs. Clarke?

A. No, I cannot pretend to say when.

Q. Do you know whether Colonel French saw Mrs. Clarke before he received his letter of service?

A. I rather think not; the letter of service was granted before he saw Mrs. Clarke.

Q. Then you do know when Colonel French saw Mrs. Clarke?

A. No, I do not, for Colonel French was going to Ireland, he was taking that part of the letter of service; the letter of service was so extensive, it was for England, Ireland, and Scotland; he took for Ireland and Scotland, and left me to take that for England.

Q. At this interview between yourself and Mrs. Clarke, what passed?

A. I really cannot recollect.

Q. Do you recollect the substance of it?

A. No, he came to introduce me, merely to say, that was Captain Sandon, and this was Mrs. Clarke.

Q. Do you recollect that the levy was spoken of that day?

A. No, I cannot take upon me to say that it was mentioned.

Q. Can you take upon you to say that it was not mentioned?

A. No, nor can I take upon me to say it was mentioned.

Q. Do you recollect when you or Colonel French mentioned the levy to Mrs. Clarke?

A. Colonel French had seen her previous to my having ever seen her.

Q. Had Colonel French mentioned the levy to her, previous to your seeing her?

A. I really cannot say that.

Q. Of your own knowledge, do you know that the levy had been mentioned to her?

A. I really cannot say, Colonel French had seen the person who was to get that; he never mentioned to me whether it was male or female.

Q. Who was that person?

A. I really cannot say; I never knew her till I had the pleasure of being introduced to her, and then I found it was Mrs. Clarke.

Q. When was the first time that you recollect having spoken yourself to Mrs. Clarke upon the subject of the levy?

A. I really do not recollect any thing about it, for this reason, the business was entirely settled between Mrs. Clarke and Colonel French, and I thought I had nothing at all to do to interfere in it.

Q. State the way and the terms on which the business was settled between Colonel French and Mrs. Clarke and yourself?

A. Colonel French and Mrs. Clarke made it their agreement, which I did not understand; I was not present when they spoke about it.

Q. What passed between Colonel French and yourself upon the subject?

A. Of course we wished to get the levy; the letter of service.

Q. What means did you take to get the letter of service?

A. I understand from Colonel French, that he was to give a certain sum of money for it.

Q. What passed between you and Colonel French upon that subject?

[This question was objected to, and the witness ordered to withdraw.]

Sir Arthur Piggott wished to know from Mr. Wardle how this could be accusatory of the Duke of York? But at any rate the evidence was not admissible.

The ATTORNEY GENERAL also thought that such evidence was not admissible.

LORD FOLKSTONE thought it might be evidence proper to be received, as these two officers had joined in this levy; and it was very probable they did converse together upon that service, and the terms upon which they were to raise the men. It might turn out to be evidence too that might affect the Duke of York.

MR. YORKE, "I am perfectly persuaded, that the result of all these examinations will be, that there had been somewhere or another very foul transactions and proceedings, which it is necessary for this House to get to the bottom of. It will not appear that the Duke of York has been guilty of it, but there will appear to have been bribes given, and that it may be proper for this House to consider what steps they shall take upon this business. If it may be found that there are persons acting for the purpose of deceiving officers, it may be necessary to take the proper measures for punishing those engaged in such corrupt transactions." Upon these grounds he should wish the hon. gentleman not to be interrupted in the course of his proceedings, but that he should go on in a manner that would disclose as much as possible.

[The witness was again called in, and the question was proposed.]

A. When I saw him, he told me, as he had before, that he had settled every thing with Mrs. Clarke.

Q. Do you know what were the terms concluded by that settlement?

A. Yes, he informed me he was to give her five hundred guineas.

Q. What further?

A. I understood that he gave her the five hundred guineas afterwards.

Q. Do you mean, that that was the only agreement with Mrs. Clarke, upon the subject?

A. I cannot take upon me to say what he made with her, that was the only agreement that I know of.

Q. Did you yourself make any agreement with Mrs. Clarke? A. None.

Q. You have stated, that of your own knowledge, you were not aware of any other bargain than the five hundred guineas?

A. Not till he went to Ireland? but previous to his taking leave of me, he told me that if she wanted more money I was to give it to her.

Q. To what amount did he authorize you to go?

A. As far as five, or six, or seven hundred pounds more.

Q. Do you recollect any application being made to Mrs. Clarke, for any alteration in the original letter of service?

A. There were a variety of alterations in the letter of service, because the bounty of different recruits were raised; in the first instance, we had it at thirteen guineas; the bounty was raised to nineteen; we thought of course we were entitled to that nineteen guineas; we applied to Mrs. Clarke to get that enlargement, without any occasion for doing it, for of course we could not get men at thirteen guineas when the line allowed nineteen guineas.

Q. You mean, that the other recruiting parties were allowed 19, and that you were allowed 13?

A. Of course.

Q. And that you were not allowed the 19 till after you had applied to Mrs. Clarke to use her influence to get the 19 allowed to you?

A. All recruiting parties were precisely in the same situation, though we appliod to Mrs. Clarke, it must come otherwise, or our recruiting was at an end; we could not get a man.

Q. You stated, that the other recruiting parties were allowed 19, but that Colonel French's levy was not then advanced? A. It

A. It was the order from Government, that every recruiting party should receive 19 guineas, it was found that the 13 guineas was not sufficient, the bounty was raised; and though we had engaged to do it for 13 we could not do it for that; and on the general bounty being raised, we applied, and had ours raised too.

Q. To whom did you apply?

A. To the Commander in Chief, of course.

Q. Then you did not apply upon that occasion to Mrs. Clarke?

A. There was no occasion for it.

Q. Do you recollect that you ever applied to Mrs Clarke, upon any other occasion relative to the levy?

A. I do not recollect that we did.

Q. As to boys?

A. That brings something to my recollection about boys; that in every hundred men, we were to have ten boys, which were to be allowed the bounty of the men; but the letter of service will state it better than I can, for it is in the letter of service.

Q. Do you mean to state, that there was no alteration made or applied for with regard to boys, after the original letter of service?

A. Not after the letter of service.

Q. What alterations were made in that letter of service?

A. The ten boys to the hundred men.

Q. Was that done through the influence of Mrs. Clarke?

A. I cannot take upon myself to say, for Colonel French was the person who entirely finished the business with Mrs. Clarke.

Q. Do you recollect that you ever went to the Commander in Chief, in consequence of any communication or message sent to you by Mrs. Clarke, at Lyon's Inn?

A. I do not recollect it in the smallest degree.

Q. Do you recollect any gentleman bringing you a note or message to such effect?

A. I cannot take upon myself to say any thing about it; I do not remember.

Q. Do you know Mr. Dowler?

A. I once had the pleasure of seeing him at Mrs. Clarke's.

Q. Do you recollect any thing particular that passed?

A. Not a syllable passed between Mr. Dowler and myself upon the subject.

Q. Do you recollect Mr. Dowler calling upon you at Lyon's Inn?

A. Mr. Dowler was never at my chambers; at least I never saw him there.

Q. Do you recollect that, in consequence of any communication with any person at any time from Mrs. Clarke, you attended on the Duke of York?

A. I once, in company with Colonel French, waited upon the Commander in Chief, to return him thanks for having given us the levy. I never saw the Commander in Chief afterwards upon that subject.

Q. State what sum or sums of money were paid to Mrs Clarke by yourself, or with your knowledge, upon this levy business.

A. At various times, I conceive that I paid her 800*l.*; it might be 850*l.* but no more.

Q. Do you recollect giving a check upon Mr. Grant for 200*l.* in favour of Mr. Corri, on account of the levy?

A. Perfectly well; but it was not a check, it was a draft of two months; but it was not for Mrs. Clarke, it was entirely for Mr. Corri, who had acted as the agent from her to Mr. Cockayne, the attorney.

Q. Do you recollect any thing of a loan of 5000*l.* to the Commander in Chief, that it was in agitation should be advanced him by Colonel French?

A. I never understood Colonel French to have 500*l.* in the world: therefore how he could advance 5,000*l.* I cannot tell; for our account with our Agent will shew we were very minus indeed, for we owe him 3,800*l.* upon the levy.

Q. You do not recollect any mention of such an advance upon the part of Colonel French?

A. Most assuredly not.

Q. Yo

Q. You have stated, that five hundred guineas was to be paid Mrs. Clarke at first; and then, that you have paid her from 8 to 900*l.* since?

A. I think 850*l.* I have the exact sums in my pocket book; it appears by that, that it is 850*l.*

Q. Can you state, whether that 850*l.* arose out of any particular agreement, at so much a man raised, or in what proportion Mrs. Clarke was paid?

A. It was to be general; if our levy had succeeded, we were to have made her a present of, perhaps, a couple of thousand pounds: It appeared to me there was no explicit agreement that a certain sum should be given. But our levy failed, and we were very much out of pocket; she was the only gainer I believe, upon the business.

Q. Do you recollect how you remitted her these sums you have mentioned?

A. Generally by bank notes; I generally gave them to her myself.

Q. Did you ever give her any large sum of the 850*l.* at once?

A. Two hundred pounds was the largest sum I ever gave her at once.

Q. Endeavour to recollect, whether Mr. Dowler did not call upon you at Lyon's Inn, and that you yourself might state that Mrs. Clarke was overpaid, and that you had no money for her at that time? A. No.

Q. You do not recollect any thing of that circumstance?

A. No; Mr. Dowler never called upon me with that message.

Q. Colonel French never stated exactly to you the original bargain between him and Mrs. Clarke?

A. I understood the five hundred guineas in the first instance, and 200*l.* to Mr. Corri, and it was left to my discretion to make up the 2,000*l.* as the levy succeeded, or not: if we succeeded in the levy, we might have gone on to the 2,000*l.* perhaps; if not, it was left entirely to my discretion.

(*By* Mr. Lyttleton.)

Q. You have stated that you never saw Mrs. Clarke till after the letter of service was granted; but in a former part of your evidence you have stated, that you had some dealings with respect to this business with one Corri, a music-master: what passed between yourself and Mr. Corri?

A. Precisely what I have related; that he was to have 200*l.* for the introduction, and any thing that Mrs. Clarke and Colonel French settled; he had nothing more to do with it.

Q. I understand you to have stated that to have passed previous to the granting of the letter of service?

A. The two hundred pounds was paid to him after the letter of service was granted; because, if nothing was carried he was to receive nothing.

Q. This stipulation was made with Mr. Corri, in case he should succeed, by means of Mrs. Clarke, in procuring the letter of service?

A. He did not precisely know what it was we wanted of Mrs. Clarke; we did not tell him what we wished to speak to Mrs. Clarke upon.

Q. You mean to state, that you only applied to Mr. Corri for an introduction to Mrs. Clarke, without stating what use you meant to make of that introduction?

A. We certainly did not inform Mr. Corri, the music-master, what we meant to do with Mrs Clarke.

Q. You mean to state, that you only applied to Mr. Corri for an introduction to Mrs. Clarke, without stating what use you meant to make of that introduction?

A. Mr. Corri spoke to Mr. Cockayne, to make him a friend; Mr. Cockayne was the person that we had to do with upon the business altogether; Mr. Corri had nothing to do with it, he did not know what we were to do with Mrs. Clarke; it was merely that he could get letters or any proposition conveyed to her.

Q. What passed with Mr. Cockayne?

A. I do not know what passed between him and Mr. Cockayne.

Q. You have mentioned that several sums were agreed to be paid to Mrs. Clarke; state whether you know that fact of your own knowledge, or whether

whether it is by hearsay from Colonel French?

A. The 850*l.* I paid myself; the 500 guineas, I understood from Colonel French, that he had paid.

Q. How often did you see Mrs. Clarke during the negociation respecting this levy?

A. Previous to the letter of service being granted I never saw her.

Q. How often did you see her during the whole negociation?

A. I dare say fifty times.

Q. Was any direct application made to the Commander in Chief, upon the subject of this levy, from Colonel French and yourself?

A. Of course, a regular application was made from Colonel French and myself, to grant us this letter of service; that went through the regular office, and we received the regular answer.

Q. It was long subsequent to that, that you and Colonel French applied to other individuals upon the subject.

A. That I cannot take upon me to say. Colonel French came to town, he had been raising two levies in Ireland, he had raised them with promptness and credit to himself, and great satisfaction to the Commander in Chief; he asked me, whether I would join him in getting the levy, and I imagined that the length of my service entitled me to ask of the Commander in Chief for this levy with Colonel French.

Q. For what purpose was the sum of 500 guineas promised by Colonel French to Mrs. Clarke?

A. When we understood that this music-master could introduce us to a person in very great power, we thought that we had better give the five hundred pounds for their assistance, whoever it was, whether male or female; and, then in the regular form, we applied to the Commander in Chief.

Q. Had you not reason to believe, that the application would be refused by the Commander in Chief at that time?

A. It had not been refused, we never had a refusal; we did not put it to the trial. I really cannot say whether the Commander in Chief would refuse it or not, I do not see why he should refuse it.

Q. Had you not reason to believe, that the application would be refused by the Commander in Chief at that time?

A. I had no reason to believe it would be; we had done nothing that was improper, and why should it be refused: I do not think it would have been refused.

Q. If you did not think that the letter of service would be refused, how happened it that any application was made to any other person than the Commander in Chief, and why was a sum of money promised to obtain it?

A. It would facilitate the letter of service when we presented the letter, of course; and that was the reason why we applied to the person in power.

(By SIR THOMAS TURTON.)

Q. How long was the promise of 500 guineas, before the letter of service was granted?

A. It was a long time before we got the letter of service; it was very near upon two months or ten weeks, before we got it, after the first proposal.

Q. What was the reason alledged by Colonel French to you, for the further advance of the 7 or 800*l*?

A. He gave me no particular reason; he said that I had better give her that sum: he gave me no particular reason.

Q. Have you any, and what reason to believe, that the letter of service was expedited by the money given to Mrs. Clarke?

A. My own private opinion was, that it was not; for, I think, she had very little influence with the Commander in Chief.

Q. Have you any reason to believe, that the Commander in Chief was privy to the money given to Mrs. Clarke?

A. None in the world; I never could have the idea.

Q. Having stated, that you considered

dered the influence of Mrs. Clarke to be very small, upon what grounds do you found that opinion?

A. The length of the time we had been in obtaining the letter of service.

(By MR. YORKE.)

Q. Had you any conversation yourself with Mr. Cockayne, respecting this transaction?

A. No, it was merely we were to be introduced to this person who had great power, and there to state what we wanted to them.

Q. You have continually said, you were informed that a person had an influence with a great personage; by whom were you so informed?

A. Mr. Corri, the music-master.

Q. What communication had you with Mr. Corri, the music-master, with reference to this transaction?

A. He was a client to Mr. Cockayne, and he proposed, or mentioned, something of this nature to Mr. Cockayne, saying, that if any of his friends were military, and wished any assistance in the War-office, or the office of the Commander in Chief, he could assist them, through his introduction.

Q. What did Mr. Corri mention to you? what personal communication was there between you and Mr. Corri?

A. Nothing more than I say; I saw Mr. Corri once or twice, and he would not tell me the name of the person; but he still persisted in repeating what I have mentioned, that he had interest with this person.

Q. Did the proposal come from you to Mr. Corri, or from Mr. Corri to you, and in what terms and what manner?

A. Mr. Corri proposed it to Mr. Cockayne, Mr. Cockayne mentioned it to me, and then an interview took place between Mr. Corri and me.

Q. Then I now understand, you had a personal communication with Mr. Cockayne yourself?

A. Mr. Cockayne was the person who introduced Mr. Corri to me.

Q. How did he introduce him, and open the subject?

A. Exactly as I have mentioned. This man was a client of Mr Cockayne; he informed Mr. C that if any of his friends were and wished for assistance in office, or the Commander i office, he had a person of his ance that could be of very gr them.

Q. You are now only st conversation between Mr. and Mr. Corri; did Mr. Coc late to you, that he had had s versation with Mr. Corri, an would propose to you in co of that conversation?

A. He did relate it to r begged to be introduced, o an interview with Mr. Corri

Q. Did Mr. Cockayne search out you, or did you go out Mr. Cockayne?

A. I really cannot say; client of Mr. Cockayne; M ayne is an attorney.

Q. Mr. Corri was a client ayne? A. Yes.

Q. You have been relati versation between yourself Cockayne; did Mr. Cocka to you to inform you of this c did you go to search for Mr. C

A. Mr. Cockayne was my and going there upon other he then related this to me.

Q. Did that interview Corri, in which 200*l* was Mr. Corri for his good serv place previous to the regula tion to the Commander in C

A. No, I believe it was no not mention any thing to the 200*l*. then.

Q. When was any thing about the 200*l*. to Mr. Corri

A. After the letter of se granted.

Q. For what purpose wa offered to him?

A. He had previously n that he expected somethi trouble, in the event of th service being obtained, but r named.

Q. Was the application Corri previous to the app the Commander in Chief?

No, certainly not.
Was your first interview with Corri previous to your regular application to the Commander in Chief?
Assuredly.
And, in that interview, it was stood, that Mr. Corri would give his good offices?
With his friend, which was Mrs. .
Was the offer of 500 guineas to Clarke made with your privity?
Certainly it was; I empowered el French to write thus much to rson who, we understood, was ur friend in the business.
Was that previous to the regulication? A. Certainly.
Did you ever mention to Colo- French your idea, that Mrs. e had not much interest with the ander in Chief?
Repeatedly.
What was Colonel French's obion?
"We had better see what she o."
Did Colonel French mention to the necessity for keeping this ction secret?
Most assuredly he did; cer- .
From whom did you suppose it o be kept secret?
It was required, from the person as unknown to us, that it should pt secret.
Do you mean the person who len unknown to you, as being Clarke?
As it proved afterwards.
Do you mean to say, that Mrs. e required this transaction should t secret?
Not a doubt about it; that she ted it upon all occasions; and I have seen Mrs. Clarke, she re- d I would not mention her name, Commander in Chief's name.
From whom did Mrs. Clarke t to be kept a secret?
From all the world, from every

Did Mrs. Clarke ever mention a wish that it should be kept secret from the Duke of York, her having received any money?

A. Most assuredly, she begged that it might never escape my lips to any body.

Q. Then from conversation you have had with Mrs, Clarke from time to time, had you reason to suppose that she kept it secret from the Duke of York?

A. I cannot pretend to say that; I know nothing about what she did with the Duke of York. (*A Laugh.*)

Q. Do you mean in the last answer but one, that she wished you should keep it secret from the Duke of York?

A. And every body else as well.

Q. I ask particularly as to the Duke of York?

A. Yes, certainly she did.

Q. Was any money paid to Mrs. Clarke before the letter of service was obtained? A. No, nothing.

(*By* SIR T. TURTON.)

Q. I understand you to have stated, that you have seen Mrs. Clarke to the number of fifty times; in any of those times did she ever inform you that the Duke of York was privy to the transaction of her taking any money?

A. Never.

Q. Did she ever at any of those times inform you that the Duke of York knew of the application to her?

A. No, she did not.

(*By* MR. BARHAM.)

Q. Was the money which was paid to Mrs. Clarke, paid solely on account of Colonel French, or were you interested in that money yourself?

A. I had part of the levy, and the money that was paid by us, was from the joint stock.

Q. When you had conceived, from the delay of the letter of service, that Mrs. Clarke had very little interest with the Duke of York, with what motive did you consent that your money should be thrown away afterwards to the amount of 850*l.* to a person who had, in your opinion, no interest?

A. I have only to say, that she persuaded

suaded us to the contrary, and said that she had a great deal of influence over the Commander in Chief.

Q. I understood you to say, that you had concluded, from the delay of the letter of service, she had very little interest with the Duke of York?

A. That was my opinion.

Q. And I understood you to say, that, subsequent to the letter, you had paid her 850*l.* consequently your payment of 850*l.* was subsequent to your conviction that she had little interest with the Duke of York; state therefore why, having that conviction at that time, as you have stated, you consented that your money, to the amount of 850*l.* should be thrown away?

A. It was my opinion, but it was not Colonel French's.

Q. Do you recollect the date of your application for the letter of service? A. No, I do not.

Q. State by what sums the 850*l.* which you paid to Mrs. Clarke, was made up?

A. 100*l.* 100*l.* 200*l.* 100*l.* 150*l.* 100*l.* and 100*l.*

Q. Will you state the dates?

A. I have no dates.

[The Witness was directed to withdraw.]

(MR. DOMINICO CORRI *was called in, and examined by* MR. WARDLE.)

Q. Do you know Colonel French and Captain Huxley Sandon?

A. Only Captain Sandon; I never saw Colonel French.

Q. Do you recollect introducing Captain Sandon to Mrs. Clarke?

A. I never introduced him; he introduced himself.

Q. Did you give him the direction that enabled him to introduce himself?

A. Quite the contrary; he asked me very often, but I never would tell him: he asked me several times, and I always told him I could not say who the lady was; but he found it out himself, and told me he knew the name of the person, and that Colonel French had gone to her.

Q. Do you of your own knowledge know what the consequence going to her was? A. Yes.

Q. Say what it was?

A. Captain Sandon was intr to me by Mr. Cockayne; and me that he knew that I was acq with the lady who had a g fluence in the War-office; and me that if I would speak to thi she would have 2,000*l.* for wh collect, for the levy of the tro told him I would speak to Mrs. and so I did; and gave him the that she would try what she but she said at the same time, very difficult matter, that s obliged to break through it gra and could recommend nobo people of character, and quali the place, and to go through t office as every body else was, I told Captain Sandon.

Q. Do you, of your own kno know any thing more of the between Mrs. Clarke and French and Captain Huxley?

A. Yes? Captain Sandon me, and said that the Du screwed them down very ha that he could only give 700*l.* I said, "it is all the same to you will give, and I will tell t you say;" and I told Mrs. C this new proposal. In this i dium, Captain Sandon int himself, as I said before t Clarke, and I never heard a of the business; they settle themselves; except in the n June, 1804, Mr. Cockayne se at the coffee-house, the Canno house, and he brought a bill, I which I never looked at, for 2 able to my order, he said, u Grant. I did not look at the bi my name, and gave it to M ayne, and said you had better yourself, I am under an obli you, you had better keep it. was the end of my business.

Q. Do you, of your own kn know nothing further of the that was made?

A. Nothing more; several came to me applying to

and I told Mrs. Clarke; but
heard any more. She was
ıxious to get the Gazette every
expecting places; but I know
ş more of the parties, for I in-
ed them to her, and I had no-
nore to do with it, and no more
s of any sort passed between
larke and me, except the mu-

Have you, since this business
efore the House, destroyed any
?
destroyed a paper in the month
, the same year, soon after Cap-
andon's business. One day I
o Mrs. Clarke's house, and she
e she was coming to me; that
was a terrible noise; that the
was very angry, and desired I
burn all papers and letters that
consequently I burned all the
at that time.
Have you burned any papers
his business came before the
?
had none; I have four letters
pocket now, which I received
Mrs. Clarke since the 1st of
y; but I was terrified at that
and did not like the business,
destroyed the papers which I
the time of this transaction im-
ely after it had taken place. (*A*

(*By* Mr. Lyttleton.)
Are the four letters, which you
ow in your pocket, to the same
t with the papers you burned
?
So, invitations to go and see her,
nd spend the sixth day of the
ith her; the first was an invi-
to see her. The first day I went
was the sixth, and she desired
dine, and sup, and to remain
ole evening, which I did; and
15th I went and supped there

Has Mrs. Clarke ever stated to
ny thing respecting the Duke
rk's opinion respecting these
ctions?
She *never talked any thing to me*;
t.

she always told me the same thing she had before, that it was always a very delicate thing to open such matters to the Duke.

Q. When Mrs. Clarke stated to you that the Duke was very angry at what had passed, upon which statement you burned the papers; did she explain herself any thing further, and state at what the Duke was angry?

A. Yes; she told me at that time that the Duke was watched very close by Colonel Gordon, and that Mr. Greenwood also watched her motions; therefore she was so situated, she could get nothing almost.

Q. What was the paper which you destroyed?

A. O, just common things; I could not remember five years ago; a desire to Captain Sandon to go such a day to the War-office, or something of that kind. I was there every day of the year; consequently we had plenty of time for conversation, and she need not send letters to me.

(*By* Mr. Beresford.)

Q. What do you mean by saying you destroyed papers?

A. I mean, that Mrs. Clarke said to me, that I should destroy every paper (because the Duke had heard of something of the kind, and he was very angry indeed), "for God's sake;" and my wife was present at this conversation, and she went home and burned the letters; further, she told me that perhaps we should be called where I have the honour to be now. (*A laugh.*)

Q. Did Mrs. Clarke mean to state, that the Duke of York suspected that there had been some correspondence between her and Captain Huxley Sandon, and that the fear of the Duke's discovering that induced her to desire you to destroy all letters that had passed upon that subject?

A. She was just going to Kensington gardens at the time, the carriage was at the door, and she said in a great hurry, "For God's sake go home and burn the letters;" and there was very little more passed in the hurry.

(*By* Mr. Croker.)

Q. You have stated, that you put your name upon a bill for 200*l.* and returned it to Mr. Cockayne, saying that you had obligations to him; do you mean to say, that you got no remuneration or reward for your services in the transaction between Mr. Huxley Sandon and Mrs. Clarke?

A. None whatever, not one shilling.

Q. What induced you to put your name on that bill?

A. Because Mr. Cockayne told me it was payable to my order; I did not read the bill.

Q. Did you owe Mr. Cockayne any money?

A. Yes, I have Mr. Cockayne's account here from the year 1802 to 1806, debtor and creditor, and not one penny creditor but the 200*l.* which took place in the year 1804.

Q. What obligations did you mean, in consideration of which you gave Mr. Cockayne this bill of 200*l.*?

A. I thought, in the first place, that he was entitled to the half, if it had been for us, for I never asked any thing; and I thought he should have the half; and at the time I said, "You may as well keep the whole, you are very welcome;" and he said, it is a very good act of generosity, Mr. Corri. (*A laugh.*)

Q. Do you know whether Mr. Cockayne got the money for that bill?

A. I know nothing about it; he wrote me a letter, thanking me for this act of generosity.

(*By* Mr. Sheridan.)

Q. In this letter of Mrs. Clarke's, which you state yourself to have destroyed, did she express any apprehensions of the Duke of York's knowing any thing about the transactions in which yourself and she were concerned?

A. Yes, it was in consequence of that that the Duke had heard something which had transpired, and that he was very angry, and that we should called to this House.

Q. You have stated, that you have seen Mrs. Clarke twice since the 1st of January, on the 6th and the 15th; was there any conversation at either of those meetings, when you supped each time, respecting the transaction to which this related?

A. Yes, I was a little surprised, because soon after dinner she sent for the twelfth cake, and they sent, for a compliment, to some gentlemen, and two gentlemen came in the evening; and as soon as they came, the conversation of this affair of Mr. Sandon was introduced, and I repeated every word there just as I have here, that Captain Sandon told me she had received the 500*l.* and Mr. Cockayne had received the 200*l.*; and they were laughing at me, saying what a fool I had been; and this was the topic of the conversation of the whole night almost. (*A laugh.*)

Q. You have stated, that you were surprised at that conversation having been introduced by Mrs. Clarke that evening; did Mrs. Clarke assign any reason for introducing that conversation on the arrival of the two gentlemen you have mentioned?

A. No.

Q. Did Mrs. Clarke allude to any other transaction of a similar nature, before these gentlemen?

A. No, the rest was spent in convivial conversation and merriment, and I left the gentlemen there at twelve o'clock, or a little after twelve, drinking there.

Q. Do you know who the gentlemen were?

A. I could describe the person; one I know, and knew the second time; she did not tell me the first time; but the second time she did, and introduced me to him; she asked me the first time, whether I could tell who he was, I told her he appeared to me to be a lawyer; he laughed very much, this gentleman did, and knew no more the first time; the second time I could tell you who he was if you please.

Q. Were the same gentlemen present both upon the 6th and upon the 15th?

A. [illegible]

A. The 15th I am not altogether certain as to the little one; the long nosed one, the friend of Mrs. Clarke, he was there, and she introduced me to him; but I believe the other one was there too, from my recollection.

Q. Who was the gentleman whom you do know?

A. Must I tell, for she told me in secret?

[The witness was directed to answer the question.]

A. She told me it was Mr. Mellish, the member, who, I suppose, is in the House.

Q. Do you know who the other gentleman was?

A. I could describe the figure, if I could see him; my sight was not very plain; but I should not be surprised if he was here.

Q. Was there any other person present besides these two gentlemen?

A. The first time there was a young lady, besides Mrs. Clarke.

Q. Was there no other gentleman present besides those two you have referred to?

A. No; only Mrs. Clarke, a young lady, and two gentlemen, and myself, the first time?

Q. The second time?

A. The second time there was another new gentleman.

Q. Did Mrs. Clarke inform you who that third gentleman was?

A. Yes; she told me he was a writer of some paper; she told me the name, but I do not remember his name at all; some writer of some paper; and she mentioned some paper, but I forget what paper it was; I took no notice of these things; she said that this man was to take care of her, she was obliged to have him with her to take care of her.

Q. Did that person seem acquainted with the other gentlemen, or either of them?

A. Yes; when he came, he shook hands with Mr. Mellish.

Q. You have stated, that in the letter which you destroyed by Mrs. Clarke's desire, she expressed great apprehensions of the Duke's knowing she was concerned in any such transactions; state, upon your recollection, whether or not Mrs. Clarke did not more than once in this letter express her apprehensions of the Duke of York's knowing that she had received money in the way in which it was stated that she had.

A. I could not remember the contents of the letter; but this conversation was repeatedly with me, to take care that the Duke should know nothing of the kind; this was done every day; and that she was obliged to have great caution, to break the matter cautiously to him.

[The witness was directed to withdraw.]

Mr. Mellish rose, and said, he was rather apprehensive he might not be strictly in order; but he understood his name had been mentioned in the course of last witness's examination, and he wished some gentleman would interrogate him, as it, perhaps, would not be regular to re-examine the witness he had alluded to. He then requested Mr Wardle to put such questions as might occur to him.

Mr. Wardle, in compliance with this request, asked the hon. gentleman, whether he had been present at Mrs. Clarke's, on the 6th or 15th of January last, and there seen Mr. Corri?

A. I never was at Mrs. Clarke's in my life; nor did I in my life, to my knowledge, ever see her till I saw her in this House.

At the request of Mr. Mellish, Mr. Corri was again called and examined. The hon. gentleman went close up to the bar, to enable *witness to have a complete* view of his person.

Mr

(MR. DOMINIGO CORRI *was called in again, and examined by* MR. MELLISH.)

Q. Did you ever see me (Mr. Mellish, the member for the county of Middlesex) at Mrs. Clarke's?

A. No, it is not you; but I only say what she said to me: the person I saw was a gentleman of a darker complexion than you; if she tell me a lie, I cannot help it.

(*From another* MEMBER *of the* COMMITTEE.)

Q. Can you describe the third person you saw at Mrs. Clarke's; the newspaper man?

A. Yes, he is a very awkward figure, sallow complexion; I would call him rather an ugly man; very badly dressed; dark hair, and rough in his manner of speaking; he appeared to me not to be an Englishman, he had such a broken accent; he was not elegant in his speaking. *(A laugh.)*

(*By* MR. BERESFORD.)

Q. Did the man squint?

A. I think a little; I am not positively sure; if he squinted, it must be on the left side; I sat on his right-hand.

Q. Was not his name Finnerty?

A. No; I do not remember the name at all; I have a very bad memory for names. She told me the name, and the paper. He told me that he had travelled a great deal; and that he had been in Africa; and he said that he did not like any music but Scotch music, and he made me play a tune fifty times over, the same tune over again.

Q. Did the person wear his arm in a sling?

A. No; he wore them very careless in that way. *(describing it.)*

Q. You have mentioned, that Mrs. Clarke told you the name of the paper to which he was writer; was he not a writer for the Morning Chronicle?

A. It must be either the Morning Chronicle, the Times, or the Post, one of the three. *(A laugh.)*

Q. Did you hear any person call him by the name of Finnerty?

A. No.

Q. Have you any reason to think that that is his name, from what you have heard?

A. Nobody told me his name; but we went into the back-room, me and Mrs. Clarke, and left all the gentlemen in the other room, and there she told me about Mr. Mellish and this other person.

Q. You did not hear the name of this other person mentioned at all?

A. No.

(*By* MR. SHERIDAN.)

Q. Do you know the person of Mr. Finnerty?

A. No; I could not recollect him at all; but I thought the name to be something like a foreign name; if I could see him I could tell.

[The witness was directed to withdraw.]

(WILLIAM DOWLER, *Esq. was called in and examined by* MR. WARDLE.)

Q. Are you not just returned from the Continent with dispatches?

A. On Thursday last I arrived from Lisbon with dispatches.

Q. Have you known Mrs Clarke long?

A. Several years.

Q. How many years have you known her?

A. I believe eight or nine at least; I am not confident.

Q. Do you recollect ever seeing Colonel French and Captain Huxley Sandon in Gloucester-place, while Mrs. Clarke was under the protection of the Duke of York?

A. I have.

Q. Did you ever hear either of them speak to Mrs. Clarke on the subject of the levy?

A. I have.

Q. Did you ever speak to Colonel French or Captain Sandon yourself, by desire of Mrs. Clarke, on the subject of the levy?

A. I did.

Q. Do

Q. Do you recollect any conversation that you had with Colonel French on that subject? A. I do.

Q. State as near as you can, what you recollect to have passed at that time?

A. I saw Colonel French several times.

Q. Relate as nearly as you can, what passed between Colonel French and yourself upon that subject?

A. I saw Colonel French at Mrs. Clarke's house, and was informed that he was there on the subject of the letter of service. I asked Mrs. Clarke, from curiosity, the nature of it; she told me; and I recollect perfectly, that I took the liberty of saying that I disapproved, or thought it was exceedingly wrong, such a business, and endeavoured to dissuade Mrs. Clarke from it. That was one of the conversations I recollect to have had with Mrs. Clarke upon the subject; it was after Colonel French left the house that morning.

Q. Do you recollect when you next saw Colonel French, and had any conversation with him respecting the levy?

A. I cannot recollect when I saw Colonel French; it is a long time back; but that I did see him several times after that, I perfectly recollect.

Q. State the substance of the conversations, as nearly as you can, that passed between you and Colonel French on the subject of the levy.

A. Mrs. Clarke told me she was to have 1000*l.* and a guinea a man, as far as my recollection serves me, to be paid on the completion of 500 men, when they were passed. I was likewise present when Colonel French, or Captain Sandon, I am not positive which, paid Mrs. Clarke 500 guineas of the thousand that was first of all promised. Afterwards, I recollect seeing Colonel French there, and he stated, that there could not possibly be any but the usual bounty given, and that he came (Mrs. Clarke was not visible at the moment he came) to request that an increased number of boys should be included in the number of the levy, which he should be able to procure at a less sum than the bounty given for men; and that then he should be able to go on with the service, otherwise, he said, that he should be obliged to abandon it. I do not recollect any thing particular that occurred after that time; but I understand that obstacle was removed with respect to the boys, that Colonel French's wish was obtained. I cannot speak to that beyond my recollection at this distant time.

Q. Do you recollect any other application of Colonel French's, to have an obstacle of any other description removed?

A. I do not.

Q. Do you recollect that he requested at any time, that the recruits might be passed nearer the place where they were recruited than the rendezvous at that time was?

A. I recollect that Colonel French stated, that as he expected to get the greater part of his recruits in Ireland, it would be very difficult and expensive to pass them in the Isle of Wight; but I cannot recollect the particulars of what passed at that time.

Q. You have stated, that you remonstrated with Mrs. Clarke on this transaction; what answer did she make to you when you so remonstrated; what excuse did she offer?

A. This and other proceedings I frequently mentioned, and endeavoured to dissuade Mrs. Clarke from having any thing to do with them; she stated that the Duke of York was so distressed for money that she could not bear to ask him, and that it was the only way in which her establishment could be supported. I beg leave to state, that in consequence of this, Mrs. Clarke was offended with my freedom, and I ceased to see, or hear from her, for I cannot tell how long, till I think nearly my departure for South America in 1806.

(*By* Mr. Ward.)

Q. What was the nature of the remonstrance

monstrance you made with Mrs. Clarke?

A. I felt that it might implicate her character, or the Duke of York's, at a future time, that was what I told her; that there was a great risk attending it, and I thought it was very dangerous to her reputation, and to his.

(*By* LORD FOLKSTONE.)

Q. In what situation are you?

A. I have lately been in charge of the Account Department of the Commissariat at Lisbon.

Q. How long have you been in the Commissariat?

A. Since 1805.

Q. How did you obtain your situation in that department?

A. I purchased it of Mrs. Clarke.

Q. Did you apply directly to Mrs. Clarke for the appointment?

A. Certainly not; she suggested it to me.

Q. Did you pay any money to Mrs. Clarke for the benefit you received from it?

A I first of all gave her 1000*l.* and at other times, other sums to a very considerable amount.

Q. Did you ever make any other direct and regular application to obtain that situation?

A. To no one.

Q. You are positive as to that fact?

A. Positive.

Q. Never to any one but to Mrs. Clarke?

A. To no individual whatever.

Q. In what department lies the presentation to such appointment as that which you hold?

A. In the Treasury.

(*By* MR. YORKE.)

Q. In what situation of life had you been before you were appointed to the Commissariat; had you ever been in any public office?

A. I had never been in any public office. When my father retired from business, which was within the knowledge of gentlemen who are members of this House, I retired into the country with him; he was a wine-merchant, and a merchant in general.

Q. How did you become acquainted with Mrs. Clarke?

A. Through a gentleman that is deceased, Captain Sutton, whom I had known for some years previous to my knowledge of Mrs. Clarke.

Q. When did Captain Sutton introduce you to Mrs. Clarke, and in what manner, and with what view did he introduce you?

A. He took me to dine at her house; the view was because there were a few musical persons to be there, a musical party; Captain Sutton asked me whether I would go out to dinner with him: and that was the cause of my being introduced to Mrs. Clarke.

Q. When was this?

A. I have said as nearly as possible, about eight or nine years perhaps ago, but I am not confident as to the length of time.

Q. In what manner, and at what time did you make the proposition to Mrs. Clarke, through her influence to procure the office which you now hold?

A. She made the proposition to me.

Q. In what manner did she make you the offer; and what passed between you upon that occasion, and when was it?

A. She stated that she was extremely pressed for money, and requested that I would assist her, as the Duke of York had not been punctual in his payments, and I applied to my father in consequence; he hesitated, and I told her I could not furnish her with more money than I had then given her; she then promised, not the situation I now hold, but another; I applied to my father, and he did not seem at the moment to give his consent to it. It was afterwards, a considerable time afterwards, for many months elapsed after the first suggestion was made by Mrs. Clarke to me, he at last consented to it, if I could be confident it would be a matter that would not become public, if I felt myself secure in it. In consequence of

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(By Mr. Huskisson.)

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m I to understand from you,
s arrangement, about getting
situation in the Commissariat,
out the time that Mr. *Adams*,
the Secretary to Mr. Pitt, was appointed a Commissioner of the Lottery?

A. I believe it was afterwards; but they were both the subjects of conversation previous to that.

Q. Was it soon afterwards?

A. I am sorry I cannot state that correctly.

Q. Will you state the year?

A. I do not know the dates, because they were both the subject of conversation before they took place.

Q. Can you state the date of your commission appointing you in the Commissariat?

A. I was first in the Store Department of the Commissariat, previous to my going, and after I went to South America; and I was transferred to the Account Department on my going out with Sir Arthur Wellesley.

Q. Do you know the precise date of your first commission from the Treasury appointing you an Assistant Commissary of Stores and Provisions?

A. I think it was in June or July, 1805.

Q. Do you know the names of the Lords of the Treasury by whom that commission was signed?

A. My commission is at Lisbon with my luggage; I cannot answer that; as I came with dispatches, it was necessary I should not encumber myself with luggage, and it is there.

Q. Cannot you state, upon your own recollection, the name of any one of the Lords of the Treasury who signed that commission?

A. I cannot.

Q. You also held a commission from the Secretary at War?

A. I believe that commission was made out after my departure, and that it has never been in my possession; but I have no paper to help my recollection.

Q. After your departure for what place?

A. South America.

Q. You have stated, that you received your first commission in June or July, 1805?

A. I believe so.

Q. Where

Q. Where were you employed after that time?

A. In the Eastern District, Colchester and Sudbury, in Suffolk.

Q. You have stated that Mr. Manby's commission took place before your's? A. It did.

Q. And that Mr. Manby's having the precedence over your's, was the cause of the delay in your appointment? A. Yes.

Q. Do you know the date of Mr. Manby's?

A. I do not; I believe it was the commencement of the year 1805, but I cannot be positive to the commission of Mr. Manby, as I never saw it.

Q. You stated, that you were appointed in June or July, 1805, Assistant Commissary of Stores and Provisions; by whom was the notification of that appointment communicated to you?

A. I was apprised of it a few days before it took place, by Mrs. Clarke; in consequence of which, I recollect paying her the remainder of the 1000*l.*

Q. In consequence of this notification being received from Mrs. Clarke, what steps did you take in order to procure the instrument which put you into possession of your appointment?

A. I was apprized that it was at the usual office in the Treasury, and Mr. Vernon was the gentleman, I believe, that signified it to me; I was in expectation of it every Gazette.

Q. Do you know who Mr. Vernon is?

A. I believe Mr. Vernon's is the office in the Treasury where commissions are left.

Q. Did you understand from Mrs. Clarke, that she made her application direct to any person in the Treasury; or through what channel did you understand from her that that application was made?

A. To the Duke of York.

Q. Is the Committee to understand, that you gave your money to Mrs. Clarke under the belief that you had been recommended to the Treasury for this situation by his Royal Highness the Duke of York, through the influence of Mrs. Clarke?

A. Certainly.

Q. From the time that you first understood that this application had been made to the Treasury, up to the time that you received this commission, did you take any steps to hasten or to expedite the object of your appointment with Mrs. Clarke, through any other channel whatever?

A. I did not.

Q. Had you had communication with any person connected with the First Lord of the Treasury, or any other gentleman then in the Treasury, on the subject of your expectations of your commission, up to the time that you came to Mr. Vernon's to take out that commission?

A. Never, but mentioning to Mr. Vernon my expectation.

Q. Then you saw Mr. Vernon before you were appointed?

A. Certainly, I know Mr. Vernon.

Q. You saw no other person at the Treasury?

A. None.

Q. Between the time in which you state you paid the premium for obtaining this commission, and the time that you actually received it, did you receive any intimation from any person connected with the Treasury, that your expectations were favourably entertained?

A. Mr. Vernon mentioned to me one morning when I called there, a gentleman was speaking to him; I was desired to call in five minutes; he said, "I believe you are going to be appointed an Assistant Commissary," I do not know the exact term, there was a paper going up, and he said, "I have no doubt the appointment will take place, it has been signified from the Board," or some such expression.

Q. Did you receive from Mrs. Clarke, the person whose recommendation you think procured you this situation, any information respecting the progress making towards the completion of the appointment?

A. I

A. I have stated what passed between Mrs. Clarke and myself respecting Mr. Manby's appointment, it was the subject of conversation afterwards; but it was not of that consequence to me, as to make it the subject of particular inquiry.

Q. What, in point of fact, was the distance of time between the money being paid by you and the appointment to the Commissariat?

A. I cannot at all tell that.

Q. Not whether it was in the same year?

A. Certainly in the same year.

Q. Within six months?

A. Certainly.

Q. I think you stated, that you had paid some sums of money to Mrs. Clarke, in expectation of getting some appointment, before you paid to her the specific sum that was to lead to this appointment?

A. Not in expectation of getting any appointment.

Q. For what other reason?

A. It was considered merely as a temporary relief to her; she was always stating, "the Duke will have more money shortly, and I will pay you;" and it was obtained from my father at my request, but with no view of any appointment.

Q. Then is the Committee to understand, that the sums of money which you paid to Mrs. Clarke, before you paid this sum for this appointment, were loans made to her without any expectation of any public employment being conferred upon you? A. Certainly.

(*By* Mr. Whitbread.)

Q. When Mr. Vernon, from whom you received the notification of your appointment, made that notification, in what terms was it made; was it verbally or in writing? A. Verbally.

Q. What were the terms of it?

A. "I believe, Mr. Dowler, you are going to be appointed an Assistant Commissary," as far as I can recollect the expression.

Q. In what terms did Mr. Vernon intimate to you, that you were actually appointed?

A. The intimation was, that the appointment was in a train, not that I was actually appointed.

Q. From whose hands, or from whom did you actually receive the warrant of your appointment?

A. I believe from Mr. Vernon; there are fees paid upon them, and I am not certain whether myself or a friend received the commission, and paid the fees, or not.

Q. You do not recollect whether you received it from Mr. Vernon's hand or not? A. I do not.

Q. Do you recollect whether you received it in any letter from Mr. Vernon?

A. I believe not, I am not confident. I cannot charge my memory with a circumstance which I did not consider of any consequence, at the distance of from 1805 to the present time; I am here very reluctantly; I am just arrived in England, and had but yesterday a summons to attend this House, very unexpectedly.

Q. From the time you have received the appointment in the Commissariat, to the present time, have you never ascribed your appointment to any other interest but that of Mrs. Clarke?

A. I stated, that Mrs. Clarke did not give me the appointment I hold, and that was the only answer I ever gave; I bought it.

(*By* Alderman Combe.)

Q. Was not your father a Common-councilman of the City of London?

A. He was, for many years.

Q. Did he not represent the same Ward of the City of London of which Sir Brook Watson was the Alderman?

A. He did.

Q. Do you recollect a conversation that passed between yourself and me (Mr. Alderman Combe) at the top of the Haymarket, after you had received the appointment?

A. I recollect seeing Mr. Combe, but what occurred I cannot possibly tell.

Q. Do

Q. Do you recollect this having passed, that I congratulated you upon what I had heard, as to your having received an appointment in the Commissariat, and that I put the question, whether you had received it from the favour of Mrs. Clarke, or the patronage and favour of Sir Brook Watson?

A. I have no recollection of the conversation that passed from Mr. Combe, but his congratulations to me; he was on horseback; I think the horse did not stand very still, and I ran into the middle of the street, to ask Mr. Combe how he did.

Q. Are you quite certain, that to that question you did not answer, that it was entirely by the favour of Sir Brook Watson?

A. Upon my honour I cannot recollect what passed, as I have before stated.

Q. Will you undertake to say positively, that you did not at that time say it was by the favour of Sir Brook Watson?

A. I cannot say positively, but I state what I stated before, that Mrs. Clarke did not give me the appointment; and many mistakes have occurred upon that, by persons supposing that I received it without having purchased it, which is the fact.

(*By* Mr. Sheridan.)

Q. When you made the remonstrance you have stated, to Mrs. Clarke, did she endeavour to allay your apprehensions with respect to herself, by any suggestion that the Duke of York was privy to her taking money on such an occasion?

A. I cannot say what conversation arose, except that she was offended with my freedom.

Q. Did you not consider Mrs. Clarke as placing a very particular confidence in you, for a long course of years?

A. On these occasions I thought so; but as my opinion did not accord with her's, communication very soon ceased on such subjects.

Q. Is the Committee to understand, that Mrs. Clarke did not give you any reason to think that the Duke of York knew of her taking that money?

Q. She gave me reason always to think that the Duke of York was perfectly acquainted with it.

Q. Do you not recollect that the transaction respecting Colonel French and Major Sandon was in the year 1804?

A. I do not recollect the time of the transaction.

Q. Do you recollect whether it was before or after your giving Mrs. Clarke the 1000*l.* for the purchase, as you term it, of the place for you in the Commissariat?

A. My expostulation with Mrs. Clarke on the subject of Colonel French, was previous to my appointment in the Commissariat, I believe so, as far as my recollection goes; but I trust at this distance of time I shall be excused, if I am imperfect as to the dates.

Q. The transaction with Colonel French was in the year 1804?

A. I have a belief that it was so; but, not being positive, I would not venture to say that of which I am not sure.

Q. If from respect to Mrs. Clarke you thought it right to remonstrate and expostulate against the transaction with Colonel French in 1804, why did you yourself, in 1805, bribe her with 1000*l.* to get an office for you?

A. Because she was peculiarly distressed for money at the moment, and because the appointment would remain a secret in my breast, and nothing but such an inquiry as this could possibly have drawn it from me. The Duke of York's character and Mrs. Clarke's would never have suffered from that which unfortunately I am now obliged to communicate to this House.

Q. Then the Committee is to understand that your only reason for remonstrating and expostulating with Mrs. Clarke, was not against the impropriety of the act, but on account of the risk of a discovery?

A. For

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ıring the interval; not so
as I had seen her before:

It produced a great deal of anger in Mrs. Clarke, my taking the liberty of giving my advice, as I have stated.

Q. Were you personally acquainted with Sir Brook Watson?

A. Not sufficiently so to bow to him even passing in the street.

Q. Do you know whether your father was acquainted with Sir Brook Watson?

A. He was, but not intimately, not on terms of particular intimacy; he dined with him once a year with the common-councilmen of the Ward, that was the utmost intimacy I know of subsisting between them.

Q. Did you never hear your father say that Sir Brook Watson had interceded, or would intercede, to procure you a situation under government?

A. Never.

Q. You have stated, that besides the 1000*l.* you paid Mrs. Clarke, you paid her large sums at different times; can you state the whole amount of the sums you paid to Mrs. Clarke at those different times?

A. I cannot recollect the amount of them, but I recollect particularly that I paid 170*l.* or guineas, for a vis-a-vis to Captain Warner, who was going abroad, and she told me she should have the money in from the Duke of York in a few days to pay me.

Q. Did they amount altogether to 1000*l.*?

A. I am unable to state, I kept no account.

Q. What is the amount of the pay, with the emoluments of the office which you hold?

A. In England, on the home staff, the pay of an Assistant-Commissary is fifteen shillings a day, with various deductions.

Q. Is that the whole emolument?

A. There is an allowance for lodgings when you are not in barracks or billeted, but that ceases if you are billeted.

Q. What are the emoluments of the office which you held before your last promotion, when you first obtained the situation under government?

A. The first office was that of Assistant-Commissary of Stores, the emoluments of which I have stated.

Q. What do the emoluments of the present situation which you hold amount to?

A. There is an extra five shillings, called treasury-pay, given to the officers of the Commisariat on foreign service, subject to the deductions of income-tax, and others that are usual.

Q. Did you obtain that promotion, or change of your situation, from any interest on the part of any body, or was it granted without application to any body?

A. It was granted on my application to Mr. Harrison, in consequence, I would take the liberty of adding, of my stating to Mr. Harrison that I had suffered in my health from being in South America; I did not wish to avoid foreign service, but was unable to go through the fatigue of the Store Department; but that if their Lordships thought proper, I conceived myself able, and was willing, to undertake that of the Account Department. Mr. Harrison replied, I will see about it. He went out of his office, and returned in a few moments, and said he could see no objection, if it was not objectionable to the person going at the head of the department. The pay of the two departments is the same.

Q. Do not you conceive it probable, that, from the respectable situation your father held in the Corporation of the City of London, you might be likely to have several friends who interceded with government for the for the office to which you were first appointed?

A. I believe not.

Q. You have stated your belief, that the Duke of York was acquainted with the circumstances of Mrs. Clarke taking this money; can you state what circumstances induce you to entertain that belief?

A. The assurance of Mrs. Clarke.

Q. You know of no other circumstances, *but the* declaration of Mrs. Clarke, to induce you to that opinion; no circumstances have occurred to corroborate that opinion?

A. With respect to the money of course I cannot, but she said I should be gazetted very shortly, and I was so.

Q. So that that opinion which you gave to the House was founded solely on the declaration of Mrs. Clarke, without any other corroborating circumstance?

A. Of course I had no communication with the Duke of York, and it was her declaration alone which led me to believe that he knew it, and my subsequent appointment.

Q. Did you ever tell Mr. Vernon at the Treasury, at the time you received your appointment, that you owed it to the influence of Mrs. Clarke, or at any time before, that you expected it from her interest?

A. I do not recollect having any conversation with Mr. Vernon upon that subject.

(By Mr. Vansittart.)

Q. Were you not, previous to your appointment, ever introduced to one of the Secretaries of the Treasury, or some other gentleman there?

A. I never was introduced to either of the Secretaries of the Treasury, to my recollection; I have not the knowledge of the person of any one of the gentlemen who were then Secretaries of the Treasury.

Q. Or one of the chief clerks?

A. Not to my recollection.

(By Mr. Huskisson.)

Q. Before you received your appointment from the Treasury, were you not referred to the Comptrollers of Army accounts, to be examined as to your fitness to be a Commissary?

A. I was.

Q. Do you recollect what interval there was between that reference and your appointment?

A. I do not.

Q. From whom did you receive the letter of reference to the Comptrollers?

A. I am not certain, but I recollect the circumstances of my going to the Comptroller's office; I saw the secretary; Mr. Fauquier, I think his name was, gave me the usual questions which were put, which I was to answer on a sheet of paper, what my habits of life had been, my knowledge of business, and so on; those I answered; and he said the Comptrollers were not then sitting, but if I was required further, he would let me know.

Q. Do you know whether you received that letter from Mr. Vernon?

A. I did not.

Q. State to the Committee in what situation on the Commissariat's staff you were employed immediately before your were sent on service in Portugal?

A. The accounts of the Commissary-General were not made up, or rather my accounts, which are the last, having been kept at Buenos Ayres after the departure of the army, having been sent there to pay for the supply of the army and the navy on their return home; and I was apprized by Mr. Bullock, that I was placed on half-pay, which could be but a few weeks previous to my departure for Portugal; and the day previous to my departure, I was the whole day with Mr. Bullock, finally settling our accounts.

Q. You were Assistant-Commissary, under Mr. Bullock, of Stores and Provisions, in the expedition to Buenos Ayres? A. I was.

Q. Not being wanted at your return, you were placed on half-pay as soon as your services could be dispensed with?

A. I was surprised to find that I was placed on half-pay, though I believe it was but for a very few weeks, because my accounts with Mr. Bullock were not settled, and I resided in London in consequence of it.

Q. Were you placed on half-pay by any order of the Treasury?

A. I was only apprized of it through Mr. Bullock, I do not know that it was the fact.

Q. Do you know on what recommendation you were sent on service to Portugal?

A. I do not; Mr. Coffin told me that he had not suggested my name.

Q. Do you know whether Mr. Coffin, the Commisary-General, was called upon on the occasion of the expedtions to Portugal and Spain, to furnish the Treasury with a list of all assistant-commissaries who were upon half-pay, or not otherwise wanted on services in England, in order that they might be sent on service to those countries, without making fresh appointments?

A. Mr. Bullock called upon me at the coffee-house where I had resided, and told me he had been informed that morning, that I was put down for the expedition under Sir Arthur Wellesley; I was in bad health, and had been constantly occupied, and he knew that well; and he said, I would advise your going to the Commissary-General's, in Great George-street, to-morrow.

Q. When you went to the Commissary-General's, were you told to hold yourself in readiness for foreign service?

A. I think Mr. Coffin, or Mr. Morse, said to me, Well, are you ready to be sent again? I said, I hope not just yet. I think Mr. Coffin came out, and said, I did not suggest your name to the Treasury, I assure you; or that Mr. Morse said, he believed that Mr. Coffin had not done so.

Q. Had you made no application or interest to go upon this service?

A. Certainly not, except that which I made to Mr. Harrison, finding I was appointed to the Store Department.

Q. Up to the period that you applied to Mr. Harrison, requesting that you might be changed from the department of Stores to the department of the Accounts, had you any reason, except that you could perform it with more satisfaction; did you consider it any promotion in the service?

A. Certainly not; for I believe it is certain that there is a greater chance

chance of promotion in the Store Department, from its activity, and that activity being in the eye of the Commander in Chief, than being in the Account Department.

(*By* Lold Folkstone.)

Q. Before you were in the Commissary's Department, what was your profession of life?

A. I was a long time, after my father quitted London and quitted business, without any kind of occupation; my father's liberality rendered it unnecessary for me for some time previous to my appointment.

Q. Before you were appointed to the Commissariat, did you not follow the business of a stock-broker.

A. Some years previous to that, I believe in the year 1800, or 1801; I am not certain precisely as to dates.

Q. Why did you quit that line of life, and when?

A. It was my father's desire; and besides that, in consequence of peace first, and afterwards the renewal of hostilities, I lost a great deal of money by the failure of different persons, and my father was constantly urging me to quit it, as a very hazardous and dangerous employment.

Q. Then your resignation of that profession was after the breaking out of hostilities?

A. I am pretty sure it was.

Q. How soon after did you pay 1000*l.* to Mrs. Clarke for this situation?

A. My father paid it; my father gave me the money for it.

Q. Was that the only reason assigned for your leaving your business of a stock-broker, or was it not from embarrassed circumstances in the Alley?

A. I was invited to stay in the Stock Exchange by some of the members, but my father would not consent to it.

Q. Did you pay all your differences?

A. I paid my last shilling, and involved myself considerably.

Q. Did you pay all your differences?

A. I have never seen the paper, nor my books of the Stock Exchange, because they were delivered immediately into the hands of the Committee; they were requested to be examined, and to this moment I have not received them back. All the differences would be that which you lose by the failure of others; and among others, E. P. Solomons and Mr. Cope were deficit to the amount of five or six thousand pounds to me, which was the cause of my leaving the Stock Exchange.

Q. Have you paid the debts due from you, at the time of your quitting the Stock Exchange?

A. Certainly not; because these are debts due from me in point of honour, as it is a place where many of the transactions are not legal: these are due from me; they came suddenly on me; and I believe they are the only transactions that I had with those persons.

Q. Do you recollect at what time your quitting the Stock Exchange took place?

A. The date I cannot tell; it was the time of the failure of Mr. E. P. Solomons and Mr. Cope.

Q. It is a pretty important event in your life; do not you recollect when it occurred?

A. No; not unless I had my papers; I was endeavouring to recollect this morning; but I have not a particle of paper here: I expect my things from Lisbon; and I could tell if I had my banker's book.

Q. Hou have stated that you had, at various times, lent money to Mrs. Clarke; had you lent any money to Mrs. Clarke, previous to your quitting the Stock Exchange?

A. I do not believe I had.

Q. Had you given any money to Mrs. Clarke previous to your quitting the Stock Exchange?

Q. I do not believe that I had.

Q. Were you acquainted with Mrs. Clarke previous to your quitting the Stock Exchange? A. Certainly.

Q. For how long?

A. I must refer to the former answer I have

I have made, that I had known Mrs. Clarke for several years.

Q. Do you recollect the first time you either lent or gave any money to Mrs. Clarke?

A. I do not.

Q. How long ago might it be, two or three or four years ago?

A. I wish I could answer the question, but it is impossible; I have not any recollection upon the subject that can be called accurate, or near it.

Q. Was it all in one year, or in different years?

A. Of the 1,000*l.* 200*l.* was first given her, and afterwards the 800*l.*

Q. Were these the only sums that you ever lent her?

A. I have stated before, that I have lent her sums at different times, which I had always been assured would be repaid, amounting to a considerable sum, which I cannot recollect exactly, but which never were repaid.

Q. Do you mean to state, that you lent various sums of money to a considerable amount, expecting them to be repaid, and yet have no recollection of what they were?

A. Except the one hundred and seventy guineas for the vis-a-vis, I have no recollection of the precise sums.

Q. Do you mean to state, that they were loans to Mrs. Clarke? A. Yes.

Q. Had you any security for those sums of money that you lent to her?

A. None.

Q. Did you take any memorandum of the sums that you lent to her?

A. I am pretty sure not.

Q. And those sums were to a considerable amount, at various times, for which you took no memorandum?

A. I have taken none.

Q. You arrived from Portugal on Thursday last? A. Yes.

Q. Have you seen Mrs. Clarke since your return from Portugal? A. Yes.

Q. When did you see Mrs. Clarke since your return from Portugal?

A. On Sunday last.

Q. Have you seen her since?

A. I saw her just now, in the Witness's room.

Q. Was any body with Mrs. Clarke when you saw her?

A. I waited upon her, to request that I might not be called upon as a witness, seeing the circumstance of Colonel French's levy in the newspaper; I saw her address in the newspaper.

Q. Was any body with Mrs. Clarke when you called upon her?

A. Nobody, but a young lady or two.

Q. What conversation passed between Mrs. Clarke and you when you called upon her?

A. I lamented the situation in which I found her placed, as to the notoriety of this, and that I had always told her I was fearful it would become known; and she said, the Duke of York, to the best of my recollection, had driven her to it by not paying her debts, and not being punctual in the annuity, as she termed it, that she was to receive from him.

Q. She told you that the Duke of York had driven her to this proceeding by not paying her debts, and not being punctual in the annuity that she was to receive from him?

A. I do not know that she said he had driven her to it; my conversation was as short as possible, merely to request that I might not be called upon.

Q. Had you seen Mrs. Clarke before you went to Portugal, in the course of last summer? A. Yes.

Q. Frequently?

A. I cannot positively state how frequently.

Q. Do you recollect what was the last time you lent her or gave her money?

A. I do not indeed.

Q. Have you lent or given her any money since the time of your appointment to the Commissariat?

A. Upon my word I cannot recollect; if it has been, it must be very trifling.

(By Mr. Hiley Addington.)

Q. Can you positively assert, that neither you nor any other person connected with you, solicited Sir Brook Watson

Watson to support the interest which you supposed to be making for you at the Treasury, to procure the appointment in the Commissariat Department?

A. Never to my knowledge.

Q. Did you know that Sir Brook Watson was frequently consulted at the Treasury in making out Commissariat Departments?

A. I was not acquainted with that circumstance; but I was not at all known, and I did not even bow to Sir Brook Watson if we met: I was not on sufficiently good terms with Sir Brook Watson to think he would aid me in the appointment; on the contrary, when I waited on him, having received my commission, he did not seem to know me, and ordered me to depart the next morning.

Q. Can you say whether Sir Brook Watson knew that interest was making in your favour at the Treasury for that appointment?

A. I know nothing of that circumstance.

(*By* SIR A. PIGGOTT.)

Q. Can you positively say that Sir Brook Watson did not, to the best of your knowledge make any application to assist with his recommendation the interest making for your appointment?

A. I believe, to the best of my knowledge, that he did not aid me in procuring the appointment.

Q. Have you always and uniformly represented that Mrs. Clarke was the author of your appointment?

A. I avoided saying any thing upon the subject as much as possible.

Q. Did you ever at any time say that you owed your appointment to Sir Brook Watson?

A. I have not any recollection of saying so, to the best of my belief; but it is hardly possible to recollect circumstances of such long standing; I always, to shield Mrs. Clarke, and to prevent any suspicion, said, that she did not give me the appointment, and therefore I confine myself to the truth intentionally; I gave that answer when I was pressed by persons who knew me; they might conjecture, but I always avoided the question as much as possible, and few persons took the liberty of asking me.

Q. If you ever said you owed your appointment to Sir Brook Watson, could you ever have forgotten it?

A. The errors of memory are so great, that I cannot positively speak to such a thing, but I should imagine I never did say so; trusting to one's recollection at a length of time is a very arduous task.

Q. Do you admit, that you might have said to some person or other that you owed your appointment to Sir Brook Watson, and have forgotten that you said so?

A. I do not think that I ever said so, but I do not pledge myself to say that I never did say so; but I do not believe it.

Q. Do you admit, that you might have said to some person or other that you owed your appointment to Sir Brook Watson, and have forgotten that you said so?

A. I have answered that question to the best of my knowledge.

(WILLIAM HUSKISSON, *Esq. a Member of the House, attending in his place, was examined by* MR. CALCRAFT.)

Q. I believe you were Secretary of the Treasury in the months of May, June, and July, in the year 1805.

A. I was.

Q. Will you acquaint the Committee what is the course of application for appointments of this kind to the Treasury; and whether you recollect any application either of Mr. Richard Manby, or of the gentleman who has just been examined?

A. The course of application for appointments of this nature, and all other appointments in the gift of the Treasury, as far as I know is this: that an application is either made directly to the First Lord of the Treasury, or the Chancellor of the Exchequer, or more indirectly to those persons through the channel of one of the secretaries of the Treasury, or the private

private secretaries of those persons: sometimes, nay frequently, applications are made verbally either to the First Lord of the Treasury, or to the Chancellor of the Exchequer, who makes a memorandum of the application, and it is then noted in the memorandum book kept by his private Secretary, or communicated to the Secretary of the Treasury, to be noted in a memorandum book kept there; If any application is made for an appointment on official grounds, that is made certainly in a different shape; it would then be presented to the Board of Treasury in the shape of a memorial, or some official document, which would go through the regular course of official business; of that nature are recommendations for promotions for Commissaries, or any other servants of the public, who having distinguished themselves, receive recommendations from the superior under whom they have served: any document of the latter description, I believe would be forthcoming in the Treasury; but as to any application for an appointment, I know no instance of such a paper being considered an official application, or register, or any public note made of it: in consequence of that I do not believe that the most diligent search into the records of the Treasury will afford any trace of the quarter or of the manner in which this person was recommended to his appointment, whether the application was made to myself to be communicated to the then First Lord of the Treasury, or made to my then colleague in office, or to any other person who had access to the First Lord of the Treasury, or whether it was made to the First Lord of the Treasury himself, I am altogether ignorant. I certainly have not the least recollection of this person being recommended; and until he stated to the Committee this evening that he was an Assistant Commissary, I did not know that there was such a person upon the staff; upon his stating that circumstance, and that he purchased the commission from Mrs. Clarke, my attention was of course called to his evidence; I then took the name of the witness, and I have recalled to my recollection, that a person of that name had been directed to proceed to Portugal, to serve in the Commissariat there; and that he was directed for this reason, that when a very large force was proceeding to Portugal and to Spain, it of course became necessary, on the communication of that circumstance from the Secretary of State, to provide a Commissariat Staff adequate to the amount of the army going to serve in those countries: I communicated this to the Commissary General and the Comptrollers of Army Accounts, and desired they would furnish me with a complete list of all the Commissaries who were either not absolutely wanted in the service in England, or being on half-pay might be sent: in the list so sent, I must have found the name of this gentleman, and I can state that with the more confidence, because extensive as that army was, and numerous as the Commissariat, there was not any one fresh officer appointed, the whole were taken either from the half-pay of the Commissariat as I have stated, or from persons, who, in consequence of the reduction of the force in this country, it was conceived might be spared for foreign service. I am confident I never saw Mr. Dowler till I saw him at the bar; I certainly do not recollect any one circumstance connected with his appointment: I do not know when it took place, nor can I give any other account, than that which I have now given. I know that Mr. Manby holds an appointment in the Commissariat, because finding him upon half-pay he was directed to take charge of a district in England from which another Commissary was sent on foreign

service; but I cannot recollect whether Mr. Manby was appointed during the time I held the situation of Secretary to the Treasury, or to any other period. I am equally ignorant as to the circumstances which led to his appointment, and of the quarter from which he was recommended, as of the person who has been examined.

Q. Do you recollect Mr. Adams being appointed a Commissioner of the Lottery?

A. I do recollect his being appointed a Commissioner of the Lottery, when he was private Secretary to Mr. Pitt, at the time he was First Lord of the Treasury.

(WILLIAM STURGES BOURNE, *Esq. a Member of the House, attending in his place, was examined as follows:*)

Q. You were Secretary of the Treasury in the months of May, June, and July, in the year 1805?

A. I was.

Q. Will you acquaint the Committee whether you recollect any application; either of Mr. Richard Manby or of the gentleman who has just been examined?

A. After the statement which has just been made, it will be only necessary for me to state, that I never saw Mr. Dowler, till I saw him at the bar to night. I do not recollect any application being made to me on the subject of this appointment, and am totally unacquainted with the circumstances respecting it.

MR. WARDLE expressed a wish that the Committee should rise, and the Chairman report progress on account of the late hour of the night, and the next being a day of General Fast by Royal Proclamation. He also wished the postponement, as he was much fatigued, and it was necessary, from the peculiar situation he was placed in, to attend the examination of all the witnesses.—*(A loud cry of "Go on! Go on!" from all parts of the House.)*

SIR THOMAS TURTON said, he wished that the farther examination of the witnesses should be continued. At the same time he conceived, if the hon. gentleman who preferred the charges wished to postpone entering into further investigation for the present, he was entitled to indulgence.

MR. WARDLE intimated that he was ready to proceed.

MR. CROKER said, if it did not derange the system which the hon. member intended to pursue, he wished Mrs. Clarke to be called in.

Mr. Wardle not making any answer, MR. CROKER proceeded to say, it was his determination she should be examined that night, and he would insist that the Committee should not rise until she was called in.—*(A cry of Order! Order!)*

(MR. JOHN GRANT *was called in, and examined by* MR. WARDLE.)

Q. Were you Agent for Colonel French's Levy? A. I was.

Q. Do you know what agreement existed between Colonel French and Captain Sandon, with regard to the Levy?

A. That it was to be a joint concern.

Q. Do you mean by a joint concern, that they were to stand in equal proportion of gain or loss?

A. I do.

Q. Do you of your knowledge know through whose influence it was that Colonel French first obtained his letter of service?

A. I have no further knowledge as to that fact, than what was told me

me by Colonel French and Captain Sandon.

Q. Will you relate what Colonel French and Captain Sandon told you?

A. They told me that they were to have a levy, and were to get it through a friend, which friend, at that time I did not know; but before the letter of service came out, I was acquainted that it was through a Mrs. Charke.

Q. Did you know from them that they had gained that letter of service through the medium of that friend then unknown to you?

A. They told me so.

Q. Do you recollect that during the progress of the levy, any alteration was applied for in the original terms of the levy through the same medium, Mrs. Clarke?

A. I do know that an alteration was applied for: they applied, but I cannot say that that was through the same medium.

Q. State what that alteration was?

A. I cannot immediately state it from recollection, but it will appear upon the letter which was issued from the War-office in consequence.

Q. A letter sanctioning the alteration was issued from the War-office in consequence of an application, but through what medium you do not know? A. No.

Q. Did you ever hear Colonel French or Captain Huxley Sandon say by what means they had obtained that alteration?

A. I in fact knew the means, because it was a letter written applying for such an alteration.

Q. To whom was that letter addressed?

A. I understood to the Commander in Chief.

Q. From Colonel French and Captain Sandon? A. Yes.

Q. Can you recollect that any other alteration in the levy was made?

A. I cannot charge my memory with any more than one.

Q. Was there any alteration with respect to boys?

A. I think that was in the original letter of service; I cannot be certain as to that; but it was either in the original letter of service, or in the amendment.

Q. Were you acquainted with the terms on which Mrs. Clarke's influence was obtained by Colonel French and Captain Huxley Sandon?

A. I did understand at first that she was to have 500*l.* or guineas; but afterwards I understood there was some other alteration, which was to allow a guinea for every man raised.

Q. Do you know that any sum or sums of money were paid in consequence of that last agreement to Mrs. Clarke?

A. I have been told so; but know nothing of it myself.

Q. Were you told so by Colonel French, or Captain Huxley Sandon?

A. By both.

Q. You were told both by Colonel French, and Captain Huxley Sandon, that Mrs. Clarke received payments according to the last agreement of a guinea a man in addition to the 500 guineas originally contracted for?

A. I cannot say whether it was upon the first or the last agreement, but that she received several sums.

Q. Do you know that she received several sums subsequent to the agreement you speak of, of a guinea a man?

A. I do not know at what period she received any sum; nor do I speak from my knowledge of her receiving any, but only from what I was informed by Colonel French and Captain Huxley Sandon.

Q. Did you, as agent to the levy, pay any sum of money to her or to any other person?

A. To her none; but to several others very large sums.

Q. Do you recollect paying a draft of 200*l.* drawn in favour of Mr. Corri, by Captain Huxley Sandon?

A. I accepted such a draft, and it was paid by my banker.

Q. The amount of that was placed to the levy account?

A. To the levy account.

Q. Have you ever understood or been told by Colonel French or Captain Sandon, that Mrs. Clarke has received very considerable sums for her influence on the levy account?

A. I have.

Q. Did they ever either one or the other of them tell you, or have you reason to know, the amount of the different sums paid to her on that account?

A. I know nothing of my own self; but they have mentioned to me the sum, I think of 1,700*l.*

Q. Did you ever hear Colonel French or Captain Sandon complain of Mrs. Clarke having disappointed them in any of their applications on that subject?

A. I do not know that they ever made any others to her.

Q. Did you ever hear Colonel French or Captain Sandon complain of Mrs. Clarke having disappointed them in any of their applications on that subject?

A. I cannot call any such thing to my memory; it does not occur to me at present.

Q. Do you recollect Colonel French and Captain Sandon to have expressed themselves satisfied with the exertions Mrs. Clarke had made in their favour? A. No.

Q. Do you recollect that Colonel French ever applied to you respecting the loan of 5,000*l.* that was to be raised for the Commander in Chief?

A. He did mention to me that he wished to afford to the Duke such an accommodation.

Q. Did Colonel French desire you to take any steps towards procuring that money? A. No.

Q. Did he state to you his reason for wishing to accommodate the Commander in Chief with that sum?

A. No.

Q. But you recollect that Colonel French spoke to you, respecting the raising of such a sum of money for the Commander in Chief?

A. I do; that he asked him to lend it to him for the purpose.

Q. Will you, as nearly as you can recollect, state what passed upon that subject?

A. I do not recollect any particulars that passed, further than his asking me to lend him such a sum of money for that purpose; as to the particular words I cannot possibly recollect.

Q. You took no steps whatever for raising the money? A. None.

Q. Did you state to Colonel French that it could not be done?

A. I told Colonel French that under the heavy advance I already was for the levy, I certainly could not do it with convenience.

Q. Do you recollect that Colonel French suggested, that this loan of 5,000*l.* was to be advanced, provided the arrears due from Government on the levy account were paid up?

A. No such condition or provision was stated; but it was observed, that if that should be recovered it might form a part of it.

Q. Was it Colonel French who made that observation?

A. I really cannot recollect whether it was from Colonel French or from myself.

Q. Then the mode of accommodating the Duke of York was agitated between you?

A. If that may be called a mode, it certainly was.

Q. Do you mean to say, that if the sum due from government to Colonel French on account of the levy was paid up, the Duke of York might on that event have been accommodated?

A. No, certainly not.

Q. Was any application made to your knowledge by the Duke of York, for the paying up of the sums due on the levy?

A. Not

A. Not that I know of.

Q. Did Colonel French ever tell you such application was to be made, or had been made?

A. Colonel French did promise that he would memorial the Duke upon it.

Q. Did you say that if the money was paid up, the 5,000*l.* was to be lent to him? A. No.

Q. Then you mean merely to state, that if the money due on account of the levy was paid, that on that event you would have been able to have met Colonel French's wishes, and to have made the advances to the Duke of York?

A. No; I never mentioned any such idea, nor took it into consideration.

Q. I thought you said that there being so much due from Colonel French on the account of the levy, you could not meet his wishes upon that subject?

A. That did not relate to what was due from the War Office, but to a large sum still due from Colonel French and Captain Sandon; which they had expended perhaps in other ways, and which sum they are still indebted to me, to a very large amount.

Q. Do you recollect Colonel French complaining of other parties having larger bounties than were allowed to his levy, and that that hurt his recruiting very much?

A. He did mention, that he met recruiting parties wherever he went; but as to the bounty being larger, or not, I cannot undertake to say that he did.

Q. It is understood that Colonel French and Captain Sandon had at one time thirteen guineas, and at another time nineteen; at what period was the sum advanced from the thirteen to the nineteen?

A. I cannot speak particularly as to the period, but I think it was in May 1804; if the letter of service is referred to, that will shew it distinctly.

Q. Did Colonel French tell you whether that advance was procured through the medium of Mrs Clarke?

A. No.

Q. Do you recollect that Colonel French ever told you that through the influence of Mrs. Clarke, he had obtained permission to have his recruits passed nearer the places where they were recruited than before?

A. No.

[The witness was directed to withdraw.]

Lord Folkstone complained that it was exhausting the patience of the House, by persisting in continuing an examination that had already gone to such a length.

Mr. Perceval contended it was essentially requisite to the ends of justice, which all parties aimed at, that Mrs. Clarke should be examined this night, and they ought to proceed to it now; the present witness might as well be examined at any future day, but her's was the only evidence that could, by possibility, affect the Duke.

Mr. Wardle said, he needed no force to compel him to do his duty; he had laid down his plan for proceeding; but if it was the wish of the House, he would agree she should be called in.

[Mrs. Clarke was accordingly ordered to the Bar.]

After some interval, the Chairman stated to the House, he had received a message by the Serjeant, from Mrs. Clarke, that she was so much indisposed and exhausted with waiting, that she wished to be indulged with a chair. He afterwards corrected his mistake by saying, her wish was, that she might be excused from being called in. (*General cry of "Call her in, and order a chair for her"*)

A con-

A considerable delay followed before she appeared at the Bar. When she did, she said, "I am so exhausted by waiting for upwards of eight hours, that I am not able to be examined to-night." *(Cry of go on.)* The CHAIRMAN told her there was a chair for her. She replied, "That will not take the fatigue off which I have suffered in body and mind. She was then suffered to withdraw.

MR. YORKE expressed his apprehensions of undue influence, by her having the opportunity of communicating with the other witnesses. He therefore felt himself under the necessity, if she persisted in refusing to be examined, to move that she should be committed to the custody of the Serjeant at Arms, and that no person whatever should be permitted to have any intercourse with her.

LORD HENRY PETTY had the same feeling, that she must either submit to be examined or be committed; but he thought it right she should be apprised of the alternative.

MR. WILLIAMS WYNNE reminded them the House must be resumed before they could exercise the power of committing her.

MR. ROSE thought it fair she should be informed, that she might agree to seclude herself from all intercourse until her next examination.

MR. YORKE was not aware there was no precedent to be found of a Committee committing a witness for refusing to answer.

The SPEAKER said, it was of the highest importance to deal with the liberty of the subject. He was not acquainted with any precedent of a Committee committing a witness; he was sure there was no modern one; as there was no precedent of an examination into such a complaint as the present since the days of Queen Anne. He conceived, however, they could do nothing conclusive in a Committee.

MR. SHERIDAN could not see if she persisted in refusing to answer, how they could compel her; and if they could, the world might say that such a proceeding was unfair; nay, she herself might hereafter attribute her answers to such compulsion, and deny them. Making allowance then for these considerations, would it add to the cure by locking her up? But if it were right in this case, why not confine all the other witnesses, to prevent communication? To-morrow also was the Fast Day, and so she would be of necessity in confinement till Thursday. Besides, she has already had all the time that was necessary for holding any communication that might be thought necessary.

MR. WARDLE stated, he had just received a note from Mrs. Clarke, in which she expressed a wish to see him, as she was very much indisposed.

MR. LYTTLETON and MR. CROKER both expressed their wish she should be immediately examined, as they feared she would have communications with the witnesses already examined.

MR. ADAM felt the circumstances they were placed in to be of the most serious nature; the cause itself was of the greatest importance, and the eyes of the country were upon them; but they were to do their duty. There were important considerations which

be equally balanced, as on the one hand, they should see
communication was had with her, so on the other, it should
said that her evidence was forced. This was the dilemma
ere placed in; as in cases of Committees upon contested
ns, they could not confine witnesses for refusing to answer,
conceived they could not here; this it was reduced them to
ficulty they were in. Of the two evils then, he thought it
o leave off where they were, and to let it go to the credit of
timony, if, upon examination, it should appear she had had
mmunication with the other witnesses; but if they were to
ier on now, that would be an excuse for her testimony; but
impeachment of her credit.

CANNING suggested the examining her now, merely to the
whether she had any communication with the last witness
, since he retired from the bar?

WHITBREAD wished to know of what use this would be;
she should answer in the negative, yet she might gain in-
on to-morrow by channels he could not allude to there. He
t it better to begin with her on the next night the Commit-
uld sit, and then examine her as to these points; at present
estion would bring on another, and that at a time when she
clared she was unable to answer. He therefore thought it
le to defer the examination.

CANNING ended the discussion by suggesting the calling in
owler, and interrogating him whether he had any communi-
with Mrs Clarke since his examination.

OWLER *was accordingly called in and examined.*)

nce you quitted this bar, have
any communication with Mrs.

ly to offer her refreshment, as
ry unwell; I procured a glass
and water for her, which I put
er.

ave you communicated to her
stance of what passed here
your examination? A. No.
ow long were you in the room
s. Clarke?
magine five or ten minutes:
tlemen withdrew from the
some time, and I was absent
me: I was in the room per-
or ten minutes.
id you give Mrs. Clarke any
on whatever of what had
this House?
e asked me the names of the gentlemen by whom I had been examined; and I answered that I did not know them.

Q. What other persons were present in the room?

A. The whole of the witnesses I believe; she was unwell, and several gentlemen gathered round her, and asked her whether she would take refreshment.

Q. How many witnesses are there attending?

A. When I say all the witnesses, I suppose there were eight or nine in the room, I cannot speak positively.

Q. Were you apprised that you ought not to have any communication with Mrs. Clarke?

A. I felt so.

Q. And acted entirely from your own feelings upon the subject?

A. Yes.

[The witness was ordered to withdraw.]

ouse then resumed, and the Committee was ordered to sit again on Thursday, for
y the witnesses were ordered to be summoned.

FOURTH

FOURTH DAY

THURSDAY, FEBRUARY 9, 1809.

PREVIOUS to the House going into a Committee for the farther investigation of the conduct of His Royal Highness the Duke of York

MR. SHERIDAN presented a Petition from Peter Finnerty, praying to be heard in his own defence, against reports to his disadvantage he being at present under prosecution, upon a criminal information filed by the Attorney-General, and which was expected to be shortly brought to trial.—The Petition was ordered to be laid upon the Table

On the motion being made that the House go into the Committee

MR. YORKE stated, that in consequence of what had fallen from him upon a late occasion, as to the committing of a witness under similar circumstances to those of the lady concerned in this investigation, (Mrs. Clarke,) he wished to explain his motives, as he was anxious that his conduct should not appear either novel or harsh He had, in the mean time, searched the Journals of the House for precedents of similar committals, which with their permission he should beg the Clerk to read.

The Clerk then read, at MR. YORKE'S suggestion, from the 18th Volume of the Journals, an account of what passed in the Committee in the case of Matthew Prior, who was to be examined as a witness before a Secret Committee of the House, as to certain practices that had prevailed, which had brought on the transactions that led to the Treaty of Utrecht, very soon after the accession of the House of Brunswick to the Throne.—It was dated 19th June, 1715, and along with other entries, upon subsequent months, shewed, that upon the motion of a Mr. Walpole, various witnesses, and Matthew Prior in particular, were ordered into the custody of the Serjeant at Arms, in order that they might be secured to give their testimony at the Bar; and also that they might have no communication with any individual who might influence their testimony.

LORD FOLKSTONE regretted that the time of the House should be taken up with reading of precedents, were it merely for the purpose of the private justification of the right hon. gentleman's motives If it were otherwise than for a private purpose, he must protest against the doctrine laid down, that witnesses communicating together upon the matter on which they might be examined in that House was to be considered as invalidating their testimony. Their meeting was a necessary consequence, likely to arise, but unless it could be shewn they thereby squared their testimony so as to agree with each other, he should protest against such a doctrine being supported

The House then went into a Committee, MR. WHARTON in the chair.

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Mr. Sturges Bourne *attending in his place, made the following statement.*

"I stated on a former night, that I had never seen the Witness, Mr. Dowler, and that I did not recollect that he had ever been recommended to Mr. Pitt through me; but that if such recommendation had taken place, I should probably be able to find a memorandum of it: I have since searched for such a memorandum, but I can find no trace of his having been so recommended."

Mr. Huskisson, *then spoke as follows:*

"I stated on the former evening, that I had no knowledge of Mr. Dowler, nor no recollection of ever having seen him, or his having been recommended through me to Mr. Pitt. I certainly have now no recollection of any circumstance I had not then; in consequence of what I stated to the Committee, that I should make an inquiry, I proceeded, in the first instance, to cause a careful search to be made at the Treasury, whether among the minutes of that Department there was any paper to be found, or any trace of a recommendation of this Gentleman; the result of that search was, that there was no such document in the Treasury. I then sent to the present Commissary General, Mr. Coffin, and I desired Mr. Coffin to examine all the books of the late Sir Brook Watson, and all the papers which, in the course of office, when he succeeded Sir Brook Watson, had been placed in his care; I also desired the persons who had Sir Brook Watson's private papers, his executors, to examine such papers as were in their possession; they have not been able to find, either in the public records of the Commissariat Department, or among his private papers, any trace of a recommendation by him, either official or private, of Mr. Dowler, to the situation he now holds; the only mention made of Mr. Dowler in the books of this department is what I shall state presently. Having failed in this quarter, I applied to Mr. Adams, Mr. Pitt's private Secretary at the time he was appointed, for any information he might possess, or any recollection he might have upon the subject. Mr. Adams had not the least recollection, as he stated and is ready to state in evidence if he is called, of any recommendation of Mr. Dowler; he states, that with respect to all private papers of Mr. Pitt, and any memorandum which might have been kept of persons who had been recommended to him for appointments, whether those appointments had been conferred or not, they were in the possession of the Bishop of Lincoln, as his executor. Mr. Adams went yesterday to the town residence of the Bishop of Lincoln, the Bishop is at Buckden, and therefore he could not obtain any information there; but Mr. Adams stated to me, that before the papers of the late Mr. Pitt were removed from Downing-street to the Bishop's, all those which did not appear to be of any importance, but merely of indifference, were destroyed. Whether any memorandum of this nature were or were not, I must leave the Committee to form an opinion. I also inquired of every Gentleman in the Treasury, at that time, as to any knowledge they might have respecting the manner in which Mr. Dowler had been recommended; none of those, whom I have seen, profess to have any knowledge of the quarter from which he was recommended. Under these circumstances, it may perhaps be necessary to state, if the Committee wishes for any further light I can throw upon this subject, that I find upon the 20th of March 1805, Sir Brook Watson, then Commissary General, applied officially to the Treasury by a letter, which I hold in my hand, that three additional Assistant Commissaries should be appointed. If it is necessary I will read the letter. On the 5th of June 1805, Sir Brook Watson writes again to the Treasury, requesting that five additional Commissaries may be appointed. But I must here observe, that by the

content of the letter of the 5th of June, it appears, that his request of the 20th of March had not then been attended to; no appointments had taken place in consequence of the former letter; that would be, therefore, five in the whole; and he presses their immediate appointment. On the 6th of July, he stated the necessity of one more, in consequence of one being in ill health. In consequence of these requisitions of Sir Brook Watson, it appears, that on the 15th of June I was directed by the Lords of the Treasury to write a letter to the Comptrollers of Army accounts. This is the first trace I can find of Mr. Dowler. This letter it may be necessary, perhaps, I should read to the Committee.

"Treasury Chambers,
June 15th, 1805.

"Gentlemen,

"The Lords Commissioners of His Majesty's Treasury intending to recommend to His Majesty, William Dowler, Gentleman, for the situation of Assistant Commissary on the Home Establishment, if he shall be found properly qualified for that service; I am commanded by My Lords, to desire you will accordingly examine into his fitness and sufficiency, and report to this Board, the result of such enquiry.

I am, &c.
Wm. Huskisson."

"Comp". Army Accounts."

With respect to appointments of this nature, none are made without referring to the Comptrollers of Army accounts, to examine into the fitness of the person; it therefore becomes necessary, in case my colleague or myself were directed to prepare a commission for such a person, to put him into this course of examination, as preliminary to granting him such an appointment. In consequence of this reference to the Comptrollers, a report was received from them, which it may be also necessary to read; this report was on the 3d of July.

"(No 175)"

"Comptroller's Office,
3d July 1805.

"My Lords,

"Mr. Huskisson having by his letter of the 15th ultimo, signified to us your Lordships' commands, that we should examine into the fitness and sufficiency of Mr. William Dowler for the situation of Assistant Commissary on the Home Establishment, and report to your Lordships the result of such inquiry;—We have been attended by Mr. Dowler; and having proposed such questions as we conceived necessary for him to answer in writing, we report to your Lordships that, in answer to our questions, Mr. Dowler states himself to be thirty-two years of age, born in the parish of St. Clement Danes, London.

"That he has not hitherto served in any Commissariat, but that he received a commercial education at Mr. Eaton's in Tower-street, and for sixteen years had the management of his father's compting-house, till he retired from business; that he understands French and Latin; that he is conversant in arithmetic in general, including fractions; that not having served in the Commissariat, he cannot say that he is acquainted with the forms of Returns and Vouchers, or the method of keeping and making up Commissariat accounts for cash and stores:

But

But as he has received a commercial education, and perfectly conversant in mercantile accounts, we are of opinion, that your Lordships may with propriety recommend Mr. William Dowler to His Majesty, for the situation of Assistant Commissary.

We have the honour to be,
My Lords,
Your Lordships
most obedient
humble servants,
John Martin Leake.
J. Erskine."

" R^t Honble Lords Comm^rs of
His Majesty's Treasury."

Indorsed:
" (175.)"
" 3^d July 1805.
" Comptr^s Army Accounts,
" On ye fitness and sufficiency of Mr. Willm Dowler for y^e
" situation of an Ass^t Comm^r on ye Home Establishm^t."
" N° 3,730."

" Rec^d 4th July 1805."
" Read 5 July 1805."
" Give the necessary directions for the appointment."
" *Cipriani.*"

In consequence of this report from the Comptrollers, a letter was written to the Secretary at War, desiring the Secretary at War to lay before His Majesty a commission for the appointment of Mr. Dowler to be an Assistant Commissary on the home establishment. And here it may be necessary for me to state the course of proceeding in that respect; it is indeed in consequence of some question I put to the witness. If a person is appointed a Commissary on the home establishment, no commission issues from the Treasury, but merely a letter to the Secretary at War, desiring he would submit a commission to His Majesty: if it is necessary to send him upon foreign service, then he gets a Treasury commission, which Treasury commission entitles him (as the witness states he had received) to five shillings additional pay in consequence of going on foreign service. The first commission then issued from the Treasury to Mr. Dowler, was when he went on foreign service to South America, and is dated the first of November 1806; that commission is still at the Treasury, Mr. Dowler never having called for it nor taken it out. On the 27th of July, I find a Letter* from my then colleague, Mr. Bourne, stating to the Commissary General that Mr. Dowler had been appointed an Assistant Commissary: this is all I can trace in the Treasury, or in the other departments respecting this appointment. It may not be improper I should state to the committee, that I do find that, in Consequence of the requisition of the Commissary General for this addition of five Commissaries, made in June, there were appointed on the 18th of June a Mr. Stokes, on the same day a Mr. Green, on the 10th of July Mr. William Dowler, on the 25th Mr.

A. I accepted such a draft, and it was paid by my banker.

Q. The amount of that was placed to the levy account?

A. To the levy account.

Q. Have you ever understood or been told by Colonel French or Captain Sandon, that Mrs. Clarke has received very considerable sums for her influence on the levy account?

A. I have.

Q. Did they ever either one or the other of them tell you, or have you reason to know, the amount of the different sums paid to her on that account?

A. I know nothing of my own self; but they have mentioned to me the sum, I think of 1,700*l.*

Q. Did you ever hear Colonel French or Captain Sandon complain of Mrs. Clarke having disappointed them in any of their applications on that subject?

A. I do not know that they ever made any others to her.

Q. Did you ever hear Colonel French or Captain Sandon complain of Mrs. Clarke having disappointed them in any of their applications on that subject?

A. I cannot call any such thing to my memory; it does not occur to me at present.

Q. Do you recollect Colonel French and Captain Sandon to have expressed themselves satisfied with the exertions Mrs. Clarke had made in their favour? A. No.

Q. Do you recollect that Colonel French ever applied to you respecting the loan of 5,000*l.* that was to be raised for the Commander in Chief?

A. He did mention to me that he wished to afford to the Duke such an accommodation.

Q. Did Colonel French desire you to take any steps towards procuring that money? A. No.

Q. Did he state to you his reason for wishing to accommodate the Commander in Chief with that sum?

A. No.

Q. But you recollect that Colonel French spoke to you, respecting the raising of such a sum of money for the Commander in Chief?

A. I do; that he asked him to lend it to him for the purpose.

Q. Will you, as nearly as you can recollect, state what passed upon that subject?

A. I do not recollect any particulars that passed, further than his asking me to lend him such a sum of money for that purpose; as to the particular words I cannot possibly recollect.

Q. You took no steps whatever for raising the money? A. None.

Q. Did you state to Colonel French that it could not be done?

A. I told Colonel French that under the heavy advance I already was for the levy, I certainly could not do it with convenience.

Q. Do you recollect that Colonel French suggested, that this loan of 5,000*l.* was to be advanced, provided the arrears due from Government on the levy account were paid up?

A. No such condition or provision was stated; but it was observed, that if that should be recovered it might form a part of it.

Q. Was it Colonel French who made that observation?

A. I really cannot recollect whether it was from Colonel French or from myself.

Q. Then the mode of accommodating the Duke of York was agitated between you?

A. If that may be called a mode, it certainly was.

Q. Do you mean to say, that if the sum due from government to Colonel French on account of the levy was paid up, the Duke of York might on that event have been accommodated?

A. No, certainly not.

Q. Was any application made to your knowledge by the Duke of York, for the paying up of the sums due on the levy?

A. Not

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to me, to a very large

Do you recollect Colonel French complaining of other parties having larger bounties than were allowed to his levy, and that that hurt his recruiting very much?

A. He did mention, that he met recruiting parties wherever he went; but as to the bounty being larger, or not, I cannot undertake to say that he did.

Q. It is understood that Colonel French and Captain Sandon had at one time thirteen guineas, and at another time nineteen; at what period was the sum advanced from the thirteen to the nineteen?

A. I cannot speak particularly as to the period, but I think it was in May 1804; if the letter of service is referred to, that will shew it distinctly.

Q. Did Colonel French tell you whether that advance was procured through the medium of Mrs Clarke?

A. No.

Q. Do you recollect that Colonel French ever told you that through the influence of Mrs. Clarke, he had obtained permission to have his recruits passed nearer the places where they were recruited than before?

A. No.

[The witness was directed to withdraw.]

D FOLKSTONE complained that it was exhausting the pa- of the House, by persisting in continuing an examination id already gone to such a length.

PERCEVAL contended it was essentially requisite to ds of justice, which all parties aimed at, that Mrs. Clarke be examined this night, and they ought to proceed to it the present witness might as well be examined at any fu- ıy, but her's was the only evidence that could, by possibility, the Duke.

WARDLE said, he needed no force to compel him to do y; he had laid down his plan for proceeding; but if it was sh of the House, he would agree she should be called in.

s. Clarke was accordingly ordered to the Bar.]

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A considerable delay followed before she appeared at the Bar. When she did, she said, "I am so exhausted by waiting for upwards of eight hours, that I am not able to be examined to-night." *(Cry of go on.)* The CHAIRMAN told her there was a chair for her. She replied, "That will not take the fatigue off which I have suffered in body and mind. She was then suffered to withdraw.

MR. YORKE expressed his apprehensions of undue influence, by her having the opportunity of communicating with the other witnesses. He therefore felt himself under the necessity, if she persisted in refusing to be examined, to move that she should be committed to the custody of the Serjeant at Arms, and that no person whatever should be permitted to have any intercourse with her.

LORD HENRY PETTY had the same feeling, that she must either submit to be examined or be committed; but he thought it right she should be apprised of the alternative.

MR. WILLIAMS WYNNE reminded them the House must be resumed before they could exercise the power of committing her.

MR. ROSE thought it fair she should be informed, that she might agree to seclude herself from all intercourse until her next examination.

MR. YORKE was not aware there was no precedent to be found of a Committee committing a witness for refusing to answer.

The SPEAKER said, it was of the highest importance to deal with the liberty of the subject. He was not acquainted with any precedent of a Committee committing a witness; he was sure there was no modern one; as there was no precedent of an examination into such a complaint as the present since the days of Queen Anne. He conceived, however, they could do nothing conclusive in a Committee.

MR. SHERIDAN could not see if she persisted in refusing to answer, how they could compel her; and if they could, the world might say that such a proceeding was unfair; nay, she herself might hereafter attribute her answers to such compulsion, and deny them. Making allowance then for these considerations, would it add to the cure by locking her up? But if it were right in this case, why not confine all the other witnesses, to prevent communication? To-morrow also was the Fast Day, and so she would be of necessity in confinement till Thursday. Besides, she has already had all the time that was necessary for holding any communication that might be thought necessary.

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MR. LYTTLETON and MR. CROKER both expressed their wish she should be immediately examined, as they feared she would have communications with the witnesses already examined.

MR. ADAM felt the circumstances they were placed in to be of the most serious nature; the cause itself was of the greatest importance, and the eyes of the country were upon them; but they were to do their duty. There were important considerations which

should be equally balanced, as on the one hand, they should see that no communication was had with her, so on the other, it should not be said that her evidence was forced. This was the dilemma they were placed in; as in cases of Committees upon contested elections, they could not confine witnesses for refusing to answer, so he conceived they could not here; this it was reduced them to the difficulty they were in. Of the two evils then, he thought it better to leave off where they were, and to let it go to the credit of her testimony, if, upon examination, it should appear she had had any communication with the other witnesses; but if they were to force her on now, that would be an excuse for her testimony; but not an impeachment of her credit.

MR. CANNING suggested the examining her now, merely to the point, whether she had any communication with the last witness but one, since he retired from the bar?

MR. WHITBREAD wished to know of what use this would be; though she should answer in the negative, yet she might gain information to-morrow by channels he could not allude to there. He thought it better to begin with her on the next night the Committee should sit, and then examine her as to these points; at present one question would bring on another, and that at a time when she had declared she was unable to answer. He therefore thought it advisable to defer the examination.

MR. CANNING ended the discussion by suggesting the calling in Mr. Dowler, and interrogating him whether he had any communication with Mrs Clarke since his examination.

(MR. DOWLER *was accordingly called in and examined.*)

Q. Since you quitted this bar, have you had any communication with Mrs. Clarke?

A. Only to offer her refreshment, as she is very unwell; I procured a glass of wine and water for her, which I put beside her.

Q. Have you communicated to her the substance of what passed here during your examination? A. No.

Q. How long were you in the room with Mrs. Clarke?

A. I imagine five or ten minutes: the gentlemen withdrew from the room for some time, and I was absent at the time: I was in the room perhaps five or ten minutes.

Q. Did you give Mrs. Clarke any intimation whatever of what had passed in this House?

A. She asked me the names of the gentlemen by whom I had been examined; and I answered that I did not know them.

Q. What other persons were present in the room?

A. The whole of the witnesses I believe; she was unwell, and several gentlemen gathered round her, and asked her whether she would take refreshment.

Q. How many witnesses are there attending?

A. When I say all the witnesses, I suppose there were eight or nine in the room, I cannot speak positively.

Q. Were you apprised that you ought not to have any communication with Mrs. Clarke?

A. I felt so.

Q. And acted entirely from your own feelings upon the subject?

A. Yes.

[The witness was ordered to withdraw.]

The House then resumed, and the Committee was ordered to sit again on Thursday, for which day the witnesses were ordered to be summoned.

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long were you in the room
Clarke?
gine five or ten minutes:
nen withdrew from the
ne time, and I was absent
: I was in the room per-
ten minutes.
you give Mrs. Clarke any
whatever of what had
is House?
ısked me the names of the
gentlemen by whom I had been examined; and I answered that I did not know them.

Q. What other persons were present in the room?

A. The whole of the witnesses I believe; she was unwell, and several gentlemen gathered round her, and asked her whether she would take refreshment.

Q. How many witnesses are there attending?

A. When I say all the witnesses, I suppose there were eight or nine in the room, I cannot speak positively.

Q. Were you apprised that you ought not to have any communication with Mrs. Clarke?

A. I felt so.

Q. And acted entirely from your own feelings upon the subject?

A. Yes.

[The witness was ordered to withdraw.]

e then resumed, and the Committee was ordered to sit again on Thursday, for he witnesses *were ordered to be summoned.*

FOURTH

FOURTH DAY

THURSDAY, FEBRUARY 9, 1809.

PREVIOUS to the House going into a Committee for the farther investigation of the conduct of His Royal Highness the Duke of York,

MR. SHERIDAN presented a Petition from Peter Finnerty, praying to be heard in his own defence, against reports to his disadvantage, he being at present under prosecution, upon a criminal information filed by the Attorney-General, and which was expected to be shortly brought to trial.—The Petition was ordered to be laid upon the Table,

On the motion being made that the House go into the Committee,

MR. YORKE stated, that in consequence of what had fallen from him upon a late occasion, as to the committing of a witness under similar circumstances to those of the lady concerned in this investigation, (Mrs. Clarke,) he wished to explain his motives, as he was anxious that his conduct should not appear either novel or harsh. He had, in the mean time, searched the Journals of the House for precedents of similar committals, which with their permission he should beg the Clerk to read.

The Clerk then read, at MR. YORKE'S suggestion, from the 18th Volume of the Journals, an account of what passed in the Committee in the case of Matthew Prior, who was to be examined as a witness before a Secret Committee of the House, as to certain practices that had prevailed, which had brought on the transactions that led to the Treaty of Utrecht, very soon after the accession of the House of Brunswick to the Throne.—It was dated 19th June, 1715, and along with other entries, upon subsequent months, shewed, that upon the motion of a Mr. Walpole, various witnesses, and Matthew Prior in particular, were ordered into the custody of the Serjeant at Arms, in order that they might be secured to give their testimony at the Bar; and also that they might have no communication with any individual who might influence their testimony.

LORD FOLKSTONE regretted that the time of the House should be taken up with reading of precedents, were it merely for the purpose of the private justification of the right hon. gentleman's motives. If it were otherwise than for a private purpose, he must protest against the doctrine laid down, that witnesses communicating together upon the matter on which they might be examined in that House, was to be considered as invalidating their testimony. Their meeting was a necessary consequence, likely to arise, but unless it could be *shewn they* thereby squared their testimony so as to agree with *each other, he* should protest against such a doctrine being supported.

The House then went into a Committee, MR. WHARTON in the *chair.*

Mr

MR. STURGES BOURNE *attending in his place, made the following statement.*

"I stated on a former night, that I had never seen the Witness, Mr. Dowler, and that I did not recollect that he had ever been recommended to Mr. Pitt through me; but that if such recommendation had taken place, I should probably be able to find a memorandum of it: I have since searched for such a memorandum, but I can find no trace of his having been so recommended."

MR. HUSKISSON, *then spoke as follows:*

"I stated on the former evening, that I had no knowledge of Mr. Dowler, nor no recollection of ever having seen him, or his having been recommended through me to Mr. Pitt. I certainly have now no recollection of any circumstance I had not then; in consequence of what I stated to the Committee, that I should make an inquiry, I proceeded, in the first instance, to cause a careful search to be made at the Treasury, whether among the minutes of that Department there was any paper to be found, or any trace of a recommendation of this Gentleman; the result of that search was, that there was no such document in the Treasury. I then sent to the present Commissary General, Mr. Coffin, and I desired Mr. Coffin to examine all the books of the late Sir Brook Watson, and all the papers which, in the course of office, when he succeeded Sir Brook Watson, had been placed in his care; I also desired the persons who had Sir Brook Watson's private papers, his executors, to examine such papers as were in their possession; they have not been able to find, either in the public records of the Commissariat Department, or among his private papers, any trace of a recommendation by him, either official or private, of Mr. Dowler, to the situation he now holds; the only mention made of Mr. Dowler in the books of *this department is what I shall state presently. Having failed in this quarter, I applied to Mr. Adams, Mr. Pitt's private Secretary at the time he was appointed, for any information he might possess, or any recollection he might have upon the subject. Mr. Adams had not the least recollection, as he stated and is ready to state in evidence if he is called, of any recommendation of Mr. Dowler; he states, that with respect to all private papers of Mr. Pitt, and any memorandum which might have been kept of persons who had been recommended to him for appointments, whether those appointments had been conferred or not, they were in the possession of the Bishop of Lincoln, as his executor. Mr. Adams went yesterday to the town residence of the Bishop of Lincoln, the Bishop is at Buckden, and therefore he could not obtain any information there; but Mr. Adams stated to me, that before the papers of the late Mr. Pitt were removed from Downing-street to the Bishop's, all those which did not appear to be of any importance, but merely of indifference, were destroyed. Whether any memorandum of this nature were or were not, I must leave the Committee to form an opinion. I also inquired of every Gentleman in the Treasury, at that time, as to any knowledge they might have respecting the manner in which Mr. Dowler had been recommended; none of those, whom I have seen, profess to have any knowledge of the quarter from which he was recommended. Under these circumstances, it may perhaps be necessary to state, if the Committee wishes for any further light I can throw upon this subject, that I find upon the 20th of March 1805, Sir Brook Watson, then Commissary General, applied officially to the Treasury by a letter, which I hold in my hand, that three additional Assistant Commissaries should be appointed. If it is necessary I will read the letter. On the 5th of June 1805, Sir Brook Watson writes again to the Treasury, requesting that five additional Commissaries may be appointed. But I must here observe, that by the

Richard Hill, and on the 26th Mr. Charles Pratt. It is not within my recollection at this moment, upon what recommendation or through whose application any one of those persons was appointed; indeed, on looking over the list of the whole of the Commissaries appointed during Mr. Pitt's last administration, amounting to seventeen or eighteen. I find but two of whom I have any recollection; whether I shall be able to find by the recollection of others who recommended them, I cannot say. I will only state further, that I am satisfied the channel through which he was recommended, whatever it may be, was one that did not give rise to any suspicion in any body connected with the Treasury at that time, that there was any improper influence employed; and I can state that confidently for this reason, that it is the rule of the Treasury, if they have any reason to apprehend any such transaction, to direct the Comptrollers to whom they refer the parties (and the Comptrollers have a power) to examine upon oath as to such a fact. I could produce proof, if that is necessary, of such an inquiry being directed within these six months as to a person in the Commissariat. I merely state this, because not finding any reference to such an inquiry being directed, I am sure that no suspicion of any such circumstance was in the mind of any person connected with the Treasury. I have no recollection, nor do I know even now, of my own knowledge, through what quarter Mr. Manby was recommended. I have learned from a right honourable friend of mine, who was then one of the Lords of the Treasury, that he was the person applied to, to mention Mr. Manby to Mr. Pitt. If I had been able to trace in the same manner respecting this Gentleman, I would have informed the Committee.

* "(Copy)

"Sir, "Treasury Chambers, July 27th, 1805.

"I am commanded by the Lords Commissioners of his Majesty's Treasury to acquaint you, that they have directed the Secretary at War to submit a warrant to his Majesty for appointing William Dowler, Esq. to be an Assistant Commissary of Stores and Provisions to the Forces, from the 10th instant, at the rate of 15*s.* a day.

I am, &c.

W. S. BOURNE."

"Comm^{r} Genl Sir Brook Watson."

MR. WARDLE then moved, "That Mary Ann Clarke be called in."

Orders were accordingly given to the Serjeant at Arms to call her in, and the House remained in anxious expectation some time before she made her appearance.

Nearly ten minutes elapsed before she came to the Bar, and she then appeared very much affected. Immediately on her situation being perceived by the House, a general cry of *A chair! A chair!* took place, from the presumption that she was indisposed. She wept bitterly, and complained that she had been much insulted in coming to the House, and that she had to send for the Serjeant at Arms to conduct her. This she stated as the cause of the delay in her attendance. A chair was brought and placed at the bar for her accommodation, but she did not

Mrs. Mary Ann Clarke.

make use of it. She was dressed in a blue silk pelisse, white bonnet and muff, as formerly.

(MRS. CLARKE *examined by* MR. WARDLE.)

Q. Did you know Colonel French?

Mrs. Clarke.—I have been very much insulted. I knew I should be protected when I sent for the proper gentleman. I sent for the Serjeant at Arms to conduct me in: it was before I got into the lobby.

Q. Did you know Colonel French?

A. Yes, I did.

Q. Do you recollect whether he applied to you in the year 1804, to use your influence with the Commander in Chief, to have a levy of men for the army?

A. He applied to me, but I cannot recollect the year.

Q. Do you recollect that he applied to you to use your influence with the Commander in Chief, to have a levy of men for the army?

A. Yes, I do.

Q. Do you recollect if Colonel French offered you any pecuniary advantages for using your influence?

A. Yes I do; or I should not have mentioned his name.

Q. Do you recollect what those offers were? A. No, I do not.

Q. Do you recollect any part of the offer that Colonel French made?

A. I have seen all the papers; but if I was to be guided by them, I should not guess nearer the thing itself than from my own memory; I cannot recollect the time nor the conditions.

Q. Do you recollect that Colonel French entered into any conditions with you? A. Yes, I do.

Q. Did those conditions imply, that you were to receive a pecuniary reward for your influence with the Commander in Chief? A. Certainly.

Q. Did you, in consequence of this, apply to the Commander in Chief, and request that Colonel French might be allowed to have a levy?

A. Certainly.

Q. Did you state to the Commander in Chief, that you were to have any pecuniary advantages if Colonel French was allowed to have a levy?

A. Yes, certainly.

Q. Did the Commander in Chief promise you, after such application, that Colonel French should have a levy? A. Yes, he did.

Q. Did you, in consequence of Colonel French having such levy, receive any sums of money from him or any other person on that account? A. Yes.

Q. Can you state any particular sums that were paid to you on that account, and by whom?

A. I recollect having one sum, but I cannot tell whether it was from Colonel French or Captain Sandon, of five hundred guineas, bank notes, making up the sum of guineas; and I paid five hundred pounds of it on account to Birkett, for a service of plate, and his Royal Highness paid the remainder by his own bills; I fancy his Royal Highness told me so.

Q. Do you recollect any other sum or sums that you received?

A. Yes, but I cannot speak to the amount of them. I fancy that Mr. Dowler was by, when I received the money I paid for the plate.

Q. Do you recollect that either Colonel French or Captain Sandon applied to you to prevail upon the Commander in Chief, to make any alterations from the original terms of the levy?

A. They teased me every day, and I always told his Royal Highness, or gave him Colonel French's notes; but I cannot tell what it was about, for I never gave myself the trouble to read them. I was not aware of what they always asked me or wanted, but his Royal Highness always understood it, I believe.

Q. Do

Q. Do you recollect, that during the progress of the levy, any loan was to have been made to the Commander in Chief, by Colonel French?

A. No, no loan by Colonel French.

Q. Do you recollect that any loan was to have been made to the Commander in Chief, arising out of the levy, or connected with the levy?

A. Colonel French told me, that if his Royal Highness would pass the accounts which had been some time standing, and which Colonel French and his agent had every reason to expect to have been passed before, and which were all very correct, he would accommodate him with 5,000*l.* upon proper security being given, at the regular interest.

Q. Did you speak to the Commander in Chief upon this subject?

A. Yes, I did.

Q. State what further you know upon that point.

A. I believe that his Royal Highness applied as far as was proper in him, and he could not command the money from the different offices, or the office where it was to be paid, and the thing dropped: he has no business whatever with money, and perhaps he was rather delicate on that subject of pressing, when he expected to receive the 5,000*l.* on loan, and where it might be publicly known afterwards.

(*By* Mr. Croker.)

Q. How often have you seen Mr. Dowler since he arrived in England?

A. Once, and the other night, till he was called in here; I have not seen him since.

Q. Then you have seen Mr. Dowler but twice since his arrival in England? A. Certainly not.

Q. Did you inform Colonel Wardle of the details of the transaction relating to Colonel French's levy?

A. Yes, I did of some part; of the best part, but not of all that Mr. Dowler has mentioned, by what I saw by the papers; I have had no communication by note or otherwise with him, or any one connected with this business, since I left the House the other night; I have only seen two men since; General Clavering has called twice to-day, begging that he might not be brought forward, but I would not see him; and another gentleman, whose name I will mention hereafter, and what he came upon.

Q. How long have you been acquainted with Mr. Dowler?

A. As I have seen the papers, it is almost useless to ask me that, because I might agree with him.

Q. How long have you been acquainted with Mr. Dowler?

A. Eight, nine, or ten years; I cannot say which.

Q. Have you not at various times received sums of money from Mr. Dowler? A. Some few sums.

Q. Can you recollect the particulars of any of the sums, or the amount of the whole, which you may have received from Mr. Dowler?

A. I can speak particularly as to receiving 1000*l.* for his situation.

Q. Was that 1000*l.* which you received for his situation, the last sum of money you received from Mr. Dowler? A. No.

Q. Was it the first you had ever received from Mr. Dowler?

A. I cannot speak particularly as to that.

Q. Do you owe Mr. Dowler any money?

A. I never recollect my debts to gentlemen.

Q. Do you owe Mr. Dowler any money?

A. I do not recollect, nor can recognize any debt to him.

Q. Have you not frequently recognized debts to Mr. Dowler, and promised to have them paid?

A. I only recollect one, where I had two or three carriages seized in execution, or something; I had nothing to go out of town in to Weybridge;

bridge; I sent a note to Mr. Dowler's lodgings, and begged he would buy or procure me a carriage immediately; he did so in a few hours, and I told him his Royal Highness would pay him hereafter for it; his Royal Highness told me that he would do so for it, or he would recollect him in some way.

Q. Did you inform Mr. Dowler of that answer of his Royal Highness?

A. Yes, I did.

Q. Are you positive of that?

A. O, quite so.

Q. Try to recollect yourself, and answer positively, whether you were not in the habit of receiving money from Mr. Dowler prior to the money given for his appointment?

A. I am perfectly collected at present, and I cannot recollect any thing of that sort ever happening. I am very equal to answer any thing now which is asked me by this honourable House.

Q. Do you recollect seeing Mr. Corri at your house on the 6th of January last?

A. I have seen him twice at my house.

Q. In the month of January?

A. I cannot recollect the month; it is not long since.

Q. What other persons were at your house on the first occasion that you saw Mr. Corri?

A. I found Mr. Corri at my house one day, in consequence of a note I had sent to him to procure me a box at the Opera, to treat with my lawyer, Mr. Comrie, about one; it was very near dinner time when I found him there; I could not do less than ask him to dine with me; and afterwards he went up into the drawing-room; there was a gentleman, who was a relation of mine, who dined with us, and some young ladies.

Q. Were that gentleman and these young ladies the only persons with whom Mr. Corri was in company at your house on that day?

A. I believe one or two came in, in the course of the evening.

Q. Who were the one or two?

A. I do not at this moment recollect; if you will ask me exactly their names, and make the question pointed, I will answer it: they were my friends, no doubt; but I believe only one came in.

Q. Who was that one?

A. A friend.

Q. What was his name?

A. If you will tell me his name, I will tell you whether it was him or not.

[The Chairman informed the witness that she must answer the question.]

A. It was Colonel Wardle.

Q. Was Colonel Wardle the only other person that came that evening?

A. And my relation.

Q. Do you recollect having received a second visit from Mr. Corri at your house some short time after this?

A. Yes; he brought two boys to sing to me.

Q. State the names of all the men who met Mr. Corri at your house that evening.

A. If I did so, I should not have a decent man call on me during the whole of this time.

[The Chairman informed the Witness she must answer the question.]

A. Am I obliged to answer this question? if I am, I do not wish to shelter myself.

[The Chairman informed the Witness, that it was her duty to answer the questions proposed to her.]

A. Must I, without appealing to you?

[CHAIRMAN.—If any improper questions are proposed, the Committee will take notice of them, and prevent their being put.]

A. No one has yet done that to me.

The

The Witness was here ordered to withdraw; in her absence Mr. Whitbread moved, "That the Chairman be instructed to tell Mrs. Clarke, that she had a right to appeal to the Chair."

Mr. Croker—"This question has been put two or three times to the Witness, and she has already twice appealed to the Chair, and although it has been declared proper, she still persists in refusing to answer it."

Mr. Whitbread—"The recommendation I was making was to establish a general regulation in regard to this examination; although we are aware of the character of the witness, and who she is, yet one cannot help feeling for her in this instance: be she whom she may, such questions as those of the general sort, put by the honorable gentleman over the way, may create a doubt and hesitation in the mind of the witness, without any intention to conceal what is proper to be divulged."

Mr. Wardle—"I beg to say a few words, tending to render this matter in the light the hon. gentleman seems to wish, and to spare the witness at the bar some pain on this occasion. He has evidently an object in view which he has not stated, but it is possible that he may put the feelings of an individual to a very severe trial, and eventually gain no one point but that of hurting those feelings; now, without wishing to screen any one, might he not retire with me, for one moment, and ascertain whether he could be otherwise satisfied, without proceeding in this general way."

Mr. Croker still insisted that the question could only be put in the general mode he proposed; more especially as it was done on the last occasion, by introducing the name of a person called Finnerty, in consequence of which introduction the House now learned, that that person, conceiving himself injured, had complained to the House.—*(Repeated cries of Go on! Go on!)*

Mr. Fuller rose, and observed, "I'll protect her under that caution to be given by the Chairman, for more mischief may be done than we are aware of. There may be many more married person's names implicated." *(Order! Order! Chair! Chair!)*

Mr. Perceval—"When the witness is called in she ought to be apprised, that although she is to receive the protection of the House, by proper appeals to the Chair, yet she is not to construe her reception as a protection against answering this particular question; her conduct I cannot characterize in any other manner, than as extremely indecent and insulting to the House."

Mr. Windham—"What the right hon. gentleman observes would certainly be most proper, if the Committee has finally determined the question shall be put; but as we cannot see any object in the hon. gentleman putting such a question, we are not able to say whether it be necessary or not—I cannot presume to give an opinion on this subject, as it is perfectly new to me; but I think that what fell from the hon. gentleman opposite, (Mr. Fuller), who had not such a patient hearing

as

observations deserved, and as this is a very particular occasion, it
e of importance not to put questions of so general a nature."
r some further conversation on this point, between MR. FULLER,
TORNEY GENERAL, MR. WHITBREAD, and SIR THOMAS TUR-
was agreed that the witness should be recalled.
e witness was again called in, and was informed by the Chair-
nat if any question should be put, which she thought improper
nswered, she was at liberty to appeal to the Chairman, whether
estion should be answered or not; and that with respect to the
stion put to her, the Committee expected that she should answer
ectly or positively.]

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ate them.
0*l.* first, and 800*l.* afterwards,
m, which his father came up
o sell out of the funds.
as not that 200*l.* paid to you
e appointment had been ob-
A. A few days.

(*By* MR. PERCEVAL.)

ou have stated, that you do not accurately recollect how long you have been acquainted with Mr. Dowler, whether eight, or nine, or ten years? A. Exactly so.

Q. Cannot you recollect whether it was eight or ten years?

A. No, I do not think I can.

Q. Were you acquainted with Mr. Dowler before you lived in Gloucester-place? A. Yes I was, some years.

Q. Were you acquainted with him before you lived in Tavistock-place?

A. Yes, I was.

Q. Did you never receive any money from Mr. Dowler, while you were living in Tavistock-place? A. No.

Q. Do you recollect your ever having received any money, before you received the 200*l.* part of the 1000*l.* from Mr. Dowler?

A. No, I do not recollect that I had.

Q. Do you recollect having received any money since the 1000*l.* except the money for the carriage?

A. I think once or twice I have, speaking from my recollection.

Q. Did you receive the money for the carriage, or did he pay for the carriage?

A. He paid for it, and he sent the carriage in within the space of two hours. He bought it of a Colonel Shipley.

Q. Did he pay for it?

A. Yes, certainly.

Q. He did not give you the money to pay for it, but paid for it himself?

A. Yes.

Q. Do you recollect any other sums of money you received from him subsequent to that respecting the carriage?

A. Only the other two sums of 800*l.* and 200*l.*

Q. Were they before the carriage or afterwards? A. Before.

Q. Then are those the only three instances of your receiving money from Mr. Dowler, the 200*l.* and 800*l.* and the money for the carriage?

A. I cannot speak to any exact sum, but I think he has once or twice paid something for me to my housekeeper; when she has told him something that was distressing, he has given her money to pay for things, when his Royal Highness was not in the way; it has not come to my knowledge sometimes for a week afterwards; but those were marked things, the other things of course.

Q. Was Mr. Dowler in the habit of seeing you very frequently?

A. Not very frequently, but when he had lodgings in London; about the time of Colonel French's levy he was.

Q. Did you see Mr. Dowler after he came from examination at this bar, the last night of examination?

A. Not the last time he was examined, but before.

Q. Upon his retiring from the bar?

A. Never since.

Q. After his first examination here?

A. Yes, I did.

Q. Did any thing pass between you and Mr. Dowler respecting his examination, when he returned?

A. Certainly not about money concerns; he only mentioned to some gentlemen who were present the conduct of one or two of the members, who he thought harrassed him very much, and put questions very distressing to his feelings on private occurrences, that had nothing to do with the question pending; it was a Mr. Bootle he was speaking of; that he would rather give (I think his expression was) every guinea he was worth, than be brought before such a place again.

Q. Did he state what he had been examined to?

A. He said he had been examined closely to his private concerns, he did not speak of any thing else; it was not to me, it was to this gentleman, a stranger, one of the members.

Q. Did you ask him what he had been examined to, or make any observations as to what had passed?

A. I asked him who had examined him.

Q. But not what he had been examined to? A. No.

(*By* LORD FOLKSTONE.)

Q. How long have you been acquainted with the Duke of York?

A. I believe it was 1803 when he first took me under his protection.

Q. Were you acquainted with the Duke of York before that period?

A. Yes, I was.

Q. At that period he took you more immediately under his protection; had you an establishment from that time?

A. No, I think it was from 1804 to 1806, that the establishment commenced only in Gloucester-place; we were in Park-lane before, in a furnished house.

Q. Had you any establishment of horses and carriages in Park-lane?

A. Only what belonged to myself.

Q. What number of carriages had you when you lived in Gloucester-place?

A. I always had two.

Q. What number of horses?

A. About six; sometimes eight.

Q. What number of men-servants

A. I do not know, without I went over it.

Q. State the servants you had.

A. There was butler, coachman, postillion, groom, mostly a man cook, a gardener, and two footmen; from seven to nine, I do not know exactly.

Q. To

Q. To whom did the house in which you lived belong?

A. To the Duke.

Q. Who paid the expences of the establishment? A. I did.

Q. What allowance did you receive from the Duke of York for that purpose?

A. His Royal Highness promised me 1000*l.* to be paid monthly, but sometimes he could not make the payments good, which was the occasion of many distressing circumstances happening.

Q. Was it on the bare promise of 1000*l.* a year, that you mounted such an establishment as you have mentioned, and with the expectation of no other means of defraying it?

A. His Royal Highness did not tell me what he would give me till I was in it.

Q. When was it that his Royal Highness promised you 1000*l.* a year?

A. He began it by paying it to me.

Q. How long did he continue to pay it regularly?

A. Till almost the whole time that we were together in it; for three months before his Royal Highness left me, he never gave me a guinea, though he was with me every day.

Q. How were the monthly payments made; by his Royal Highness's own hand, or by what other means?

A. His Royal Highness wished me to receive it from Greenwood; but I would not subject myself to that, although it would have been more punctually paid.

Q. How did you receive it?

A. From his Royal Highness.

Q. Did your ever receive more than at the rate of a thousand a-year from his Royal Highness?

A. His Royal Highness, if any thing unpleasant had happened, which was always happening, would sometimes contrive to get a little more, and bring me.

Q. Do you know what is the total amount of the sums you received from his Royal Highness, during the time you lived in Gloucester-place?

A. Certainly not.

Q. Were the sums you received from his Royal Highness adequate to the payment of the expences of the establishment you kept up?

A. I convinced his Royal Highness that it did not more than pay the servants' wages and their liveries.

Q. Did you state that to his Royal Highness? A. Many times.

Q. What observation did he make in consequence?

A. I do not know that he made any observation on that; but after we had been intimate for some time, he told me, that if I was clever, I should never ask him for money.

Q. Do you remember at what period it was that his Royal Highness made that observation?

A. No, I do not; but it was when he had great confidence in me.

Q. Was it before you removed to Gloucester-place?

A. Not till some time after.

Q. Can you at all state what was the amount of the annual expence of your establishment? A. No.

Q. Pretty nearly?

A. Not the least; I cannot give a guess.

Q. You stated in a former part of your examination, that you were going to Weybridge; had you a house at Weybridge? A. Yes.

Q. Was that your house or the Duke of York's?

A. It was the Duke's.

Q. Had you a separate establishment there, or did the establishment move from Gloucester place to Weybridge, and from Weybridge to Gloucester-place?

A. There was a groom there and a gardener, and two maids; the remainder of the servants waited on me when I went; I was never there but from Saturdays till Mondays, and I always took four more servants with me, sometimes five.

Q. Did

Q. Did the sums of money you received in the monthly payments, and by occasional payments from the Duke of York, nearly cover the expence of your establishment?

A. If it had, I should never have been harrassed for money as I was during the whole time I was under his Royal Highness's protection.

Q. Do you know a person of the name of William Withers?

A. Yes, I do.

Q. What is he?

A. He is a sheriff's officer.

Q. How came you acquainted with him?

A. He had some business with me in his own way.

Q. Was it in consequence of your pecuniary distresses, that you became acquainted with William Withers?

A. No one would ever know a man of that description, but through that very thing.

Q. Did you ever enter into an agreement with William Withers, for participation in any sums of money which you might receive?

A. Never, nor ever hinted at such a thing.

Q. Do you recollect the first time you ever made application to the Duke of York, for any thing connected with army promotions?

A. No, I do not; it was after I was in Gloucester-place.

Q. Were the applications you had to exert your influence with the Duke of York, numerous. A. Very.

Q. Were those applications universally attended to by you?

A. Not always by me; if I thought they were not correct, nor proper to recommend, I mentioned it to his Royal Highness, and he told me who were proper and who were not, and then I could give my answer the next day, as from myself, whether I could listen to any thing or not; if they were improper, he told me to say I could not interfere, without saying that I had mentioned the matt him.

Q. Did you uniformly inforr Duke of York of every applic you had received?

A. Yes, and hundreds had rejected but through his means, did not know who were prope who were not.

Q. When you have receive plications, did you entirely tr your memory, or did you record on paper?

A. If it was a single applic I trusted to my memory and that Royal Highness, who has a very one; but if there were many, I him a paper, not in my own w

Q. Gave him what paper.

A. Any paper that might been handed to me.

Q. Do you mean a list of th plications?

A. I recollect once a list, a long one, but only once.

Q. Do you recollect how names were upon that list?

A. No, I do not.

Q. Do you recollect when th was existing?

A. No, I do not; but I knov that must have been a little tim fore Colonel Tucker, who is dead, was made Major Tucker; were two brothers of them.

Q. For what reason do you that it must have been before nel Tucker was created a Majo

A. His Royal Highness had mised that he should be in th turday's Gazette, and one coming to dinner, a few days b he told me Tucker had behave ill, for that Greenwood had hin to inquire into it, for that h come to play with me, and p to make a talk; that he was n rious in the business. I en into it, and found it was so his Royal Highness said, th David Baird had recommende That was the answer that C

wood gave to it. But when I gave his Royal Highness that list, that is, when he took it, with the number of names upon it, he asked me what I meant by it; if I wanted those men promoted; and if I knew any of them or not, and who recommended them? I told him, I did not know any one, and that what I meant by it, being in his way, was for him to notice them. He said that he would do it; and that there were a great number of names, and that if I knew any thing at all of military business, I must know it was totally impossible for him to do it all at once, but that he would do it by degrees; that every one should be noticed by degrees; and among those was Captain Tucker.

Q. Is that list in existence now?

A. No, his Royal Highness took it away with him that morning: and, from that moment, I knew in what way I might have his sanction to go on. I saw it some time after in his private pocket-book.

Q. Is that the only list that was ever made out by you?

A. I did not make it out, some one gave it me; that was the longest list, and the only list that I recollect; I never gave him any other list, I am sure. There might have been two names down.

Q. Were you in the habit of making out a list to refresh your own memory?

A. No; their friends always took care of that.

Q. Do you mean, that you used to receive the names of the applicants in writing?

A. I have had letters, hundreds upon hundreds.

Q. What do you mean by stating, that their friends took care of that, in your last answer but one?

A. They expected the thing should be done immediately, and used to tease me with letters.

Q. Do you recollect any other names, except that of Captain Tucker, in the list you have referred to?

A. I believe so, but I would not mention the name of any man who had behaved well to me, on any account. His Royal Highness did not promote the whole of that list.

Q. Your acquaintance with William Withers, you have stated, was owing to some pecuniary embarrassments of yours; in what way were those embarrassments satisfied?

A. I gave him two bills on my mother for 300*l.* each, and that satisfied those things; I never gave him any thing, nor spoke to him on any thing relating to military business.

(*By* Mr. Yorke.)

Q. Do you recollect from whom you received the list you have spoken of?

A. I think, from Captain Sandon or Mr. Donovan; but Mr. Donovan is quite prepared to deny it.

Q. Can you state positively whether you received it from Captain Sandon or Mr. Donovan?

A. No, I cannot, they were connected in some way or other together?

(*By* Mr. Fuller.)

Q. Have any questions been read to you by any individual whatever, as such questions as would be asked you in this house? A. No, never.

(*By* Sir George Warrender.)

Q. You have mentioned having received various sums of money from Mr. Dowler, and in particular two sums of 200*l.* and 800*l.* state upon what consideration those sums were received?

A. It was for Mr. Dowler's appointment, but previous to that he was not to have paid me money.

Q. To what appointment do you allude?

A. In the Commissariat; Assistant Commissary.

Q. Whom did you apply to for that appointment for Mr. Dowler?

A. His Royal Highness.

Q. From whom was it notified to you,

you, that that appointment had been made?

A. His Royal Highness; he told me that he had spoken to Mr. Charles Long upon it, and it was settled at last; that there had been some little difference in the Prince's regiment, that Mr. Manby was obliged to leave it, and his Royal Highness promised to the Prince of Wales to give something to Manby, and to seem very civil to him, he must gazette him before Mr. Dowler; but before Mr. Dowler proposed to give him the money for the situation, I fancy he was to have procured some votes for the Defence Bill; I think it was something like that name; Mr. Pitt was very ill at the time, and I think it was something of that sort mentioned; however, Mr. Dowler could not bring forward the number of voters that I had given the list of to the Duke, seventeen I think, and there were very few of them came; but I recollect one gentleman, General Clavering, got up, from Scotland, Lord John Campbell; and although Lord Lorn would have voted with Mr. Pitt, and of course his brother would have gone the same way, (but he was not in London) still it was considered that it was a great favour bringing up Lord John from Scotland; he was the only man that I recollect, and that was through my means. (*A loud laugh.*) I had a few more friends besides, but it dropped. Mr. Dowler could not bring the men forwards, some of them were in the Opposition. His Royal Highness told me he gave the list to Mr. Charles Long, and he was delighted with it.

Q. You have used an expression relative to Captain Tucker, that Greenwood *had* him; explain what you meant by that expression?

A. I do not know, I never inquired further into it; I was very angry that the man should be only laughing with me; it was his Royal Highness's expression, not mine; but I am almost certain that Captain Sandon knows him, and about it, though perhaps he will not own to it.

Q. Were you in the habit of shewing to the Duke of York the letters which contained the applications to you for influence?

A. Yes, I was; but I did not trouble him with all, not many, upon the same subject; if a man wrote one letter first, I might shew him that, but if he wrote me ten more, I might not trouble his Royal Highness with those: they frequently used to call, and wait for answers while his Royal Highness was there, though they did not pretend to know he was there.

Q. Then if those letters contained an offer of money to you for the exertion of your influence, his Royal Highness must have been aware of it?

A. He was aware of every thing that I did, but I never was very indelicate with him upon those points.

Q. Did you shew to his Royal Highness letters containing such offers, as well as letters that did not contain them? A. Yes, I did.

(*By* SIR JOHN HALL.)

Q. On the first day of your examination, you stated, that a bill of 200*l.* which you received from Mr. Knight, was sent from your house to be changed by a servant of his Royal Highness; how do you know it was taken by a servant of his Royal Highness, and not one of your own servants?

A. I believe that I did not state that it was his Royal Highness's servant who took it, but that his Royal Highness had something to do with the changing that note; and on Saturday or Monday morning, I do not recollect which it was, when it was raining very hard, I believe it was Monday, I heard where my butler lived, and I went into York Place, and sent my footman to fetch him out; he came out, without previous knowledge of who called upon him, and I asked whether he recollected any thing particular the evening that his Royal Highness was going to Weymouth, and myself in the morning to Worthing; he asked me to what point, I said about a bank-note;

note; he said, Perfectly well; he had been trying all over the neighbourhood to get change for a note, that it was a very large note, he supposed a fifty pound note, that he came into the parlour and said he could not get change for it, and then his Royal Highness said, "Do go to my wine-merchant's, in Bond-street, Stephens's Hotel, and get change, and tell them where you come from;" that on this same night he had called at Byfield's, the confectioner's, and tried there, and they could not do it; and that he went and saw Stephens's partner; it being very late Stephens was not there, that he got change for it there, and that was the whole. But I told him he must come and speak about it, that a summons would be sent to him, and would it hurt him with respect to his master and mistress, his being examined; and he told me they would not be angry, he supposed, for it was Lady Winterton's son he lived with, and he supposed Lady Winterton would not be against it. I spoke to him the other night in the room, I do not know whether before he was examined or afterwards, and he told me that he had called at Stephens's in Bond-street, and that they would not give him any information about the note, which I believe he did not state in the house.

The witness was directed to withdraw.

MR. WARDLE stated, that this afternoon Pearson, the butler, called at his house, and said, that since his examination at the Bar, he recollected that he took out the note given by Mrs. Clarke and his Royal Highness, and procured change for it. He, (Mr. Wardle,) asked how it was that he had not said so on his examination? To which he answered, that he was subject to very violent head-aches, and that he had a very bad head-ache at the Bar, and the pain that he felt at the time took away his recollection. This circumstance, he intended to mention to the Committee; for he felt himself in a situation of peculiar delicacy, if he should call upon a witness to be examined a second time; and it would be now for the Committee to say, whether they would do so or not.

Mrs. Clarke was now called in again, and her examination was resumed.

(*By* SIR THOMAS TURTON.)

Q. You have stated, that you recommended Mr. Dowler to his Royal Highness the Duke of York; in what character did you represent him to the Duke of York?

A. As a gentleman.

Q. Did you represent him as a friend or relation of your own?

A. Never as a relation, as a friend.

Q. In recommending him to the Duke of York, did you mention that you were to have any, and what sum, in case he was appointed to the Commissariat?

A. His Royal Highness knew that I was to have a sum, for I told him that old Mr. Dowler had come up to sell it out of the funds.

Q. Did you communicate, at the time, to the Duke of York, that you were to receive any, and what sum?

A. I cannot exactly say to that; but I told his Royal Highness, that he would behave more liberally to me than any other person for the same appointment.

Q. Are you quite sure of that?

A. Quite.

Q. Did you ever hear Mr. Dowler say that he was acquainted with Sir Brook Watson, the Commissary General?

A. No further than that he knew him personally, or in the city; and I told

told his Royal Highness of it, that Mr. Dowler knew a little of Sir Brook Watson, and he said, that is a very good thing; but I believe Sir Brook Watson is dead; and I cannot make use of the expression that his Royal Highness then did about him.

Q. Are you quite sure that Mr. Dowler did not represent to you, that he or his father had some interest with Sir Brook Watson?

A. No, he never told me that he had particularly; he told me that Sir Brook Watson did not like him, for his father's way of voting, if I recollect right; I mean the city voting.

(*By* Mr. Lockhart.)

Q. Did you ever receive a list of names for promotion from any other person than Captain Huxley Sandon and Mr. Donovan?

A. I never received such a long list from any one, nor such a list; I never received more than two or three names; this I had for two or three days; it was pinned up at the head of my bed, and his Royal Highness took it down.

Q. If you received any list containing two or three names, from whom did you receive such list?

A. It will be seen, by the witnesses that have already been examined, that there were a great many sorts of agents or people that used to come and ask me things about them, and I cannot recollect; and I believe I got into very bad hands, or it would never have been exposed as it is now.

Q. Cannot you recollect the name of any one person who gave you a list?

A. I have mentioned the name of Colonel Sandon and Mr. Donovan; and there was a lady with Mr. Donovan the other night, in the room, which brought many things to my recollection, perhaps she can speak to something; she is an officer's widow, and, I believe, quite in the habit of military intrigue.

Q. Did you ever circulate a list of prices of commissions?

A. No, I never did; that did not belong to me, I never did it; I have seen such a thing, I saw it in Cobbet, but it is not true.

Q. What is the name of the lady you have just mentioned, the officer's widow?

A. She was with Mr. Donovan the other night; I used to see her very frequently; I have not seen her these three years; I do not recollect her name at present, I shall think of it presently, she is an Irish lady.

[Here the witness seemed quite overcome, and burst into tears. Her appearance excited considerable sensation, and several voices called out for a chair. After some hesitation, being apparently relieved by her tears, she proceeded:]

I have received a letter this instant, which has exceedingly interested me, begging me that I would not go on, or to that effect; but I would wish the gentlemen here to ask Colonel Mac Mahon, that my character may not appear so very black as it does at present; I would wish the House to inquire of Colonel Mac Mahon, if he thought I made any improper propositions, or any thing unjust, to the Duke of York. I wish them to ask only of Colonel Mac Mahon, what were my propositions to the Duke of York, and to inquire into all the particulars respecting the message of which he was the bearer; I am exceedingly sorry to expose him so.

(*By the* Chairman.)

Q. Have you any objection to deliver in the letter you have received?

A. I have received one before; I will perhaps in a few days, but not to night; I have hardly read it over.

[The Chairman informed the witness, that it was the pleasure of the Committee that she should produce the letter she had just received.]

Q. When did you receive that letter, where did you receive it, and from whom?

A. I received it at this door.

Q. On the outside of the door?

A. This instant, when I went out.

Q. From whom?

A. I believe one of the messengers.

The

[The letter was handed up to the Chairman, and ordered to be read by the Clerk; it was as follows.]

"Westminster Hall, Thursday Night, Eight o'Clock."

"Madam,

"I am most anxiously desirous to see you to night.

"The lateness of the hour will be no difficulty with me.

"It is I trust quite unnecessary to observe, that business alone is my reason for expressing by this solicitude in so earnest a way; or that if you think a more unreserved communication might take place at Westbourne-place, I would be there at your own hour to-night.

"To what this particularly refers you may have some guess, but it would be highly improper to glance at it upon paper.

"I will deliver this to one of the Messengers, who will convey to me your answer; or if your feelings at all accord with mine, you will not perhaps think it too much trouble to write two notes, one to the care of the Messenger who delivers this, the other addressed for me at the Exchequer Coffee-House, Westminster-Hall.—Believe me, Madam,

Most sincerely your Friend,

WM. WILLIAMS."

"P. S. I have tried two or three Members to deliver this, but they are afraid some injurious suspicion might attach.

"I hope you will not attribute my hasty manner to negligence or disrespect."

(By the ATTORNEY GENERAL*)*

Q. Is this the letter that so much interested you? A. Yes, it is.

Q. Is this the letter that desired you not to go on?

A. In my opinion it is, from what occurred yesterday.

Q. What do you allude to as having occurred yesterday?

A. A letter came to me yesterday from the same gentleman, and I could not exactly make out what it was or what he meant by it; he said he had seen me at the play one night, in company with Lord Lenox and Sir Robert Peate, about two months since, and that he took the liberty of addressing a letter to me to grant him an interview; I sent down my servant to say I was at home to him; this was the gentleman whom I alluded to as being the only one I had seen since I quitted this place. When he came into the drawing room yesterday, he asked me whether there was any one in the back room; I said upon my word and honor not; but I told him as my character now seemed so much hacked about with every one, I would open the door and convince him, which I did; he then began to question me how I felt towards the Duke of York, if I had any revenge, or if I had any wishes that His Royal Highness had not satisfied, and if any thing would induce me now to abandon the country with my children, and take all the blame on my own shoulder; that no sum whatever would be backward if I would say that I would, as my character now had been so very much with the public, it could not be worse if I would take it upon myself and abandon my country with my children, and I should be provided for for life in the handsomest manner possible; that he had no authority from the Duke of York, but it was the Duke's friends.

[*The Witness was directed to withdraw.*]

Mr. Brand rose; and submitted the propriety of some decisive measure being taken, in consequence of what Mrs. Clarke had just related.

The Chancellor of the Exchequer said, he thought it incumbent on the House to have this person taken into custody, and wished that the Speaker should be sent for, when he should move, "That the Serjeant at Arms should be dispatched to the Exchequer Coffee-house, and bring him to the Bar."

The House resumed, and the Speaker took the chair; the Chancellor of the Exchequer then made his proposed motion, which was carried unanimously, the Serjeant at Arms was dispatched, and the doors were ordered to be shut.—During the whole of this proceeding a great bustle prevailed in the House.

Mr. Wharton then moved, "That the Committee should sit again this evening;" agreed to

A member then asked the Speaker, whether it were in the power of a Committee to send an order to take any person into custody?—He asked this for the future guidance of the House.

The Speaker answered, that he always considered they had the power. When the emergency of the case required such a measure should be resorted to, the usual mode was for the Chairman to report such proceeding to the House. The House would then order the prisoner to stand committed, and would thereby approve the measure; but it was always best for the House to act.

The Serjeant at Arms then announced that Mr. Williams was in custody.

The Chancellor of the Exchequer moved, "That the Serjeant at Arms should bring Mr. Williams before the Committee to be examined." Agreed to.

Upon motion, the Speaker then left the Chair, and the House resolved itself into a Committee.

(Mr. William Williams *was brought in, in the custody of the Serjeant at Arms, and examined by* Mr. Perceval.)

Q. Is that your hand-writing?

A. This is my hand-writing, and I delivered that letter myself to the door-keeper.

Q. Will you inform the Committee who and what you are?

A. I am a Clergyman.

Q. Where do you live?

A. Am I bound to answer that question?

[The Chairman informed the witness he must answer the question.]

A. I have some personal reasons for not doing so; reasons applicable to me personally, to my private affairs.

[The Chairman informed the witness he was bound to answer the question.]

A. My place of residence is now at No. 17, Somers Place East, in the New Road, near Somers Town.

[*By* Mr. Perceval.]

Q. You have seen this letter which you delivered to the door-keeper; of course you are acquainted with the contents of it?

A. I suppose the letter in your hand to be the same which was put into my hand just now; I am acquainted with it, having written it within this hour.

Q. What was the business on which you wished to see Mrs. Clarke?

A. I had business with her; I am sure I do not know how decorously to answer

answer this question, but it has no reference to the examination now going on before this House.

Q. Were you at Mrs. Clarke's house yesterday?

A. Not yesterday, the day before.

Q. What passed upon that occasion?

A. The whole is not exactly in my recollection; I believe I was near an hour there.

Q. State as much as you can of what passed upon that occasion?

A. I am taken somewhat by surprise, but I will, as nearly as I can recollect; it had some general reference to the transaction that is now investigating before this House.

Q. State the substance of it.

A. She asked me if I had seen the newspaper; I replied in the negative; she then related to me part of what I have since seen in the newspapers, that she was fatigued after many hours waiting here; I believe that was the substance of what she related.

Q. Are you certain that it was the day before yesterday you had this communication?

A. It was the morning after she was examined here; if I answer the question confusedly, I hope you will not be surprised at it, for I am a little surprised at finding myself here; this is the substance as far as related to any thing else that had reference to our acquaintance: I mentioned some persons that we were acquainted with, and as to their health, and matters, not, I think, worth relating to the House; if you wish I will refresh my memory, and state the minutiæ.

Q. Did you state any thing to Mrs. Clarke as to the course of the examination hereafter to be pursued upon this business?

A. I do not recollect that I did.

Q. Did you give Mrs. Clarke any advice as to what she had best do upon this subject?

A. I spoke I believe something to this effect, that it would be well and proper for her to be cautious.

Q. Was that all?

A. I believe I added, what every body is aware of, the high connections of the personage whose conduct is now under your investigation, and that of course I reiterated what I had said before, that caution, I thought, would very much become her.

Q. Did you advise Mrs. Clarke to get out of the way? A. I never did.

Q. You are quite certain that you did not give her any advice of that sort? A. I did not.

Q. Did you represent, that you came from any of the friends of the Duke of York?

A. I did not, I spoke ambiguously, but I did not give her any such intimation whatever.

Q. What do you mean by saying you spoke ambiguously?

A. I spoke the sentiments of my own mind and my own cogitations upon that subject, not having any intimation from any individual in the world.

Q. For what purpose did you go to Mrs. Clarke upon that day?

A. I suppose I may be allowed to pause a moment or two before I answer that question, because it involves a variety of circumstances that now press upon my mind.

[The witness paused for some time, and appeared in this and subsequent evidence to be much embarrassed and confused.]

Among other things, I thought that the confidential intercourse that must have subsisted between her and the person whose name perhaps I am not at liberty to mention, might have given her opportunities of observing upon his conduct in moments of unreserved communication, and that to introduce matters of that sort before this House would excite certainly his personal resentment as well as the indignation of his family, and that whatever promises might be held out to her would probably not in the event be found sufficient to protect her from the resentment that they probably might conceive it was right at some time to exercise upon her: I suppose I have said enough to convey to the House my sentiments; and to expec of me minutely to detail all that

passed in that conversation, would be, I think, an unreasonable expectation.

Q. Did you advise Mrs. Clarke to go out of the kingdom with her children? A. I did not.

Q. And that they should be provided for; did you make any promise to her?

A. I made no promise to her whatever.

Q. Did any body advise you to go to Mrs. Clarke?

A. It was a suggestion of my own mind.

Q. Had you been acquainted with Mrs. Clarke before? A. Very little.

Q. How long had you been acquainted with her?

A. Precisely I cannot say: perhaps two months.

Q. Where had you seen her before?

A. At the Opera House.

Q. Had you seen her any where else but at the Opera House? A. No.

Q. Had you any conversation with her at the Opera House? A. No.

Q. Were you introduced to her there?

A. I might be said to be introduced; it was rather casual; it was in the presence of persons known to us both.

Q. How long ago was this?

A. About two months.

Q. Who were the persons present?

A. Lord Lenox and Sir Robert Peate. I beg leave to add, that I had not been directed or instructed, or requested to address Mrs. Clarke, on this or any other subject, by any person whatever; and after mentioning the names of those two gentlemen, I think it very hard they should be implicated in this which has taken me by surprise.

Q. What led you to come here this afternoon?

A. I was extremely anxious to see Mrs. Clarke.

Q. For what purpose?

A. If I am positively bound to answer that question at the peril of imprisonment, of course it must be answered; to whom am I to address myself for an answer to that question.

[The Chairman informed the witness, that it was the pleasure of the Committee that the question should *be answered.*]

A. My reason was, to attem could, to persuade her from thi cal, sarcastic, witty animad that sometimes had fallen fro with reference to the person th fore alluded to.

Q. Was that the object wit you wrote this letter?

A. That was one of the obj

Q. What other object had

A. I will answer particular wards; generally, I will say with a view that was by no me verse to the person whose co now under investigation, but contrary; and therefore I am t surprised at the harsh ma which I have been treated.

Q. State what your other ob in writing this letter to Mrs. C

A. I thought that if I had a tunity of seeing her before the ment that I had to-morrow with an agent of His Royal H that probably I might sugge something to prevent those thi did not serve to elucidate the gation now going on, but to e inveteracy of those person whom I before alluded.

Q. Who is that agent?

A. Mr. Lowten.

Q. Who made the appo with you?

A. By agreement, I addres Lowten first, and afterwards pointment was made.

Q. For what purpose did dress Mr. Lowten?

A. For the purpose I have the House before.

Q. Did you apply to Mr. by writing, or address him v

A. I had spoken to two or thr bers of this House upon this s

Q. Name them.

A. Mr. Adam and Colonel C the other waved it entirely, I willing to mention him; it is Mac Mahon, if I am desired tion him.

Q. Did you apply to Mr. personally or by letter?

A. I was desired by two gentlemen whom I have nam lonel Mac Mahon conceived

very differently from what many members of this House do: they thanked me for the communication; he does not conceive any hostility to his Royal Highness in the communication, but just the contrary. If there is any thing culpable in my conduct, I am amenable to the censure of the House, and am willing to abide by it; but I do not know that gentleman acts decorously to me, in making me the subject of personal merriment and ridicule.

Q. Was it by personal address or by writing you made the appointment with Mr. Lowten?

A. I hesitated whether I should speak to Mr. Lowten or not, and when I spoke to Mr. Adam I declined it; but coming here with this letter, I met Mr. Lowten, within these two hours, and then I addressed him.

Q. What did you say to Mr. Lowten?

A. I knew Mr. Lowten officially, and no otherwise; I understand that he holds an office, indeed I have seen him in the exercise of his office in the Court of King's Bench.

Q. What did you say to him?

A. I told him that I had spoken to the gentlemen (I believe that was pretty near the commencement of my conversation with him) whom I have recently named, Mr. Adam and Colonel Gordon; and I told him also that they declined, and seemed apprehensive; they seemed to think there was a delicacy and difficulty in it, which inclined them to have nothing to do with it; they advised me to communicate to him, and when I met him I took the liberty to address myself to him.

Q. Did you tell Mr. Lowten the nature of the subject which you had to communicate to him?

A. I said (I did think I expressly guarded what I had to say with this observation) that I had no message from Mrs. Clarke, or any communication, directly or indirectly, to make from her.

Q. What did you say you had to communicate to Mr. Lowten?

A. I said I thought, as matter of opinion arising out of my own mind, that it was possible, I do not know how I expressed it, but I meant to convey to prevent her going into that irrelevant matter, and I believe the observation I made was this, that it was impossible for any man in an unreserved communication of four years, not in some period of that length of time to have said and done those things which the House of Commons had very little to do with.

Q. Was it upon that communication to Mr. Lowten, that he made an appointment with you to come to him to-morrow morning?

A. I recollect no other.

Q. What did you tell Mr. Lowten you had to say to him on the subject on which you were to speak to him to-morrow morning?

A. I have told you this moment, that was the subject I had to speak upon.

Q. To prevent Mrs. Clarke going into irrelevant matter?

A. Certainly, that was the main object.

Q. How were you to prevent it by going to Mr. Lowten?

A. Certainly this is a question I am not prepared exactly to answer; I am not sure that I could prevent it at all, and the means must arise out of the circumstances.

Q. What did you mean to propose to Mr. Lowten as the means by which Mrs. Clarke's examination might be in any degree altered?

A. I am sure I do not know exactly what I should have said to Mr. Lowten to-morrow morning, but what I should have said to him would have arisen out of the circumstances, and probably out of the communication I should have had with Mrs. Clarke to-night; and it was for that purpose that I expressed so anxious a wish to see her, as I conveyed in that letter that is laid upon the Table.

Q. What did you expect would arise between Mrs. Clarke and yourself to-night, which you expected would enable you to make a communication

nication with effect to Mr. Lowten to-morrow?

A. I do not know whether I may not be allowed to go a little into explanation, and not to answer sententiously and immediately, but in an intercourse and friendship of four years much might have passed that it would be proper to suppress.

Q. What did you expect would arise between Mrs. Clarke and yourself to-night, which you expected would enable you to make a communication with effect to Mr. Lowten to-morrow?

A. If it is intended by these questions that I should——It is impossible, I do not know how to answer the question, I have not the capacity, I do not understand it.

Q. What did you expect would arise between Mrs. Clarke and yourself to-night, which you expected would enable you to make a communication with effect to Mr. Lowten to-morrow?

A. I confess, standing here as I do, that if an inquiry of this sort was going on upon my own subject, there are many things already which have transpired which I should be sorry should transpire, and which have nothing to do with a political question; that is the only way I can answer it.

Q How was it to affect the communication with Mr. Lowten to-morrow in consequence of your seeing Mrs. Clarke to-night?

A. I did not certainly intend to interfere, or to prevent the inquiry, or to smother the inquiry, or to advise her to suppress any information has reference to the investigation going on before the House; but think, that if I could persuade I avoid those sort of witticisms to I alluded before, and those sort servations.—If the gentlemen wi to answer this question in such as to prove I have been guilty breach of the privileges of this H I cannot do that; I know the ence due to this House, and an ling to treat it with proper defe May I take the liberty to mak more observation on the law o dence

[The Chairman informed the ness that he was not called to th to make observations, but to giv dence.]

A. Then may I take the libe asking, whether I am bound to that sort of evidence that would nate myself, and is not this leadin

Q. Had you written the lett the time you saw Mr. Lowten?

A. No, I wrote the letter quently; it arose out of the con tion I had with him. As a mat humanity I address myself t Chair, with reference to the Cha lor of the Exchequer, whether, lawyer, taken by surprise as I a is right to propose questions t that if they were answered woul minate me.

Q. Do you refuse to answer questions which are put to you, the fear that they will criminate self?

A. No, I do not, upon my ho

[The witness was ordered to be removed from the bar, and ke custody of the Serjeant at Arms.]

Mr. Kenrick said, that the witness had spoken to him and others, and acknowledged his name was Walter Williams. From information he had obtained, Mr. Williams was deranged; he frequ ed the Courts of Law and other places, where he has seen Mr. I ten; claims relationship with persons well known in society, and mits many other acts of inconsistency.

Mr. Adam *made the following statement.*

"Many persons have desired to see me, since the commencement o business, who have not sent any n and I have given orders to let no

in, who did not send in their names. This gentleman called yesterday, about five o'clock I think, or a little after five: he sent in no name, but a gentleman wished to see me. I desired to have the name, and I thought the name given in was Williamson; I had seen a gentleman of the name of Williamson, in the morning, a clergyman of Shefford, in Bedfordshire, and I believed it to be the same person; I went into the hall to him, to the outer door: I found it to be a different person; and this gentleman who has just been at the bar addressed me, and said he had something to communicate, respecting this business that was proceeding in Parliament; I said I could hear nothing from him; he seemed extremely anxious to state something; I stopped him, and told him if he had any facts or circumstances to state, Mr. Lowten was employed as his Royal Highness's Solicitor, and he might go to him, and desire an appointment; he left the house; and that was all that passed."

COLONEL MAC MAHON *then rose, and said:—*

"To my extreme astonishment, I found my name alluded to by the lady who has just been examined at the bar; I cannot tell for what possible purpose she has alluded to me; I have nothing to offer to this Committee, that has the least relevance, or can throw the smallest light upon any subject whatever, that the honourable gentleman has brought before the consideration of this House. In consequence of an anonymous note that was written to his Royal Highness the Prince of Wales, promising very important communications, I did, at the command of the Prince, lightly as he treated the note, nevertheless call at No. 14, Bedford-row, Russell-square, where the note was dated from. Upon going there, the woman who opened the door, and from whom I thought I saw much that told me she had put that note into the penny-post or the twopenny-post herself, I asked her the name of the lady of the house, that I wanted to see; she desired me to tell my name; I told her I could give her no name, but produced the note, which she immediately remembered to have put into the twopenny-post, and said it was written by her mistress. I was then conducted into the house, into a parlour, where certainly there were a great many of those morocco concerns, which she has mentioned before, for there were ten chairs I think set round the table, from the supper or the dinner of the day before; after remaining some time, I was conducted up stairs, where I saw the lady, whose name I was told to be Farquhar. The lady in perfect good humour came out and received me; and I held the note I was possessed with, as my credentials, for her communicating whatever she might think fit to tell a third person, not pressing her to any communication which she ought not to give to me. She told me, that she would communicate nothing to a third person; I then told her that it was impossible that I could hold up any expectation of an interview with such a person as the one to whom that letter was addressed, unless she gave me some clue, or some plausible pretence for it, and that I had no idle curiosity to gratify. She then entered into a conversation of so general and so extraordinary a nature, that I am confident this House would not for one moment entertain it, because the tendency and intention of it was to make bad blood between two illustrious brothers, whose affections could never be shaken by any such representation, at least, I am confident that the illustrious person I have the pride and glory to serve and love, would be incapable. She then told me she would shew me letters to prove and to establish, that there was a hatred on one part to the other; I declined seeing any letters; she then said, I would commit those letters to you, for the perusal of the illustrious personage; to which I, as my bounden duty and firm conviction, said, if they were ly-

ing

ing at his feet, he would scorn to look at one of them. In this interview, at first, I stated that I thought she was a friend of Mrs. Clarke; she said, certainly she knew Mrs. Clarke extremely intimately, that there was nobody she loved and regarded as she did Mrs. Clarke; that she perfectly knew her. She then asked me if I knew Mrs. Clarke; I said I do not. "Do you know her, Sir, by person;" I said, I believed not. "Do you know her by character;" yes, said I, her fame is very celebrated; and I have heard of Mrs. Clarke, but know nothing of her myself. She asked me then what I knew; I said, it certainly was not to her advantage; but I had heard the Duke of York had been very generous to her, and that she had not been very grateful on her part; but that was only from information I had received. She then proceeded to state, what I throw myself on the consideration of the House, as it might be the effect of passion, and appeared to me a disposition to gratify her revenge by representations that I do not think the House would for a moment permit me to expose, when it went to a tendency of making bad blood between two brothers. We then proceeded. I soon after said, "I am speaking to Mrs. Clarke herself;" I thought so, from several things she told me, that I wish not to repeat: I said, "I am confident I am addressing myself to Mrs. Clarke herself;" she laughed, and said, "I am Mrs. Clarke." I then begged her a thousand pardons for the portrait I had drawn, but disclaimed being the painter. "I am sure you are not, for it was Adam and Greenwood that gave you my character." We then proceeded, till she made a statement, that I have no hesitation in declaring to this Committee did, in its statement, appear such as I could with honour and character entertain and listen to; that, under every compassionate feeling and sentiment, I felt no indisposition to listen to and entertain. She stated to me, that Mr. Adam had called upon her, and in a very firm, but steady manne her, that the Duke of York was mined to separate from her; b if she retired into the countr conducted herself with proprie decorum, he would allow her year; that she had accordingl tired into Devonshire for months, but failing to receive mittances she expected, she ha driven to town for the purpose ing her arrear, and placing nuity upon a more regular m payment; that if that conditi complied with, by the paym her arrear, and of securing th tuality of it to her in future, hi Highness should never hear an about her. Upon the fairness statement, supposing it to be t do not pretend to say what nion of it was) I said, if you ment, Mrs. Clarke, is corre orthodox, I will certainly wa Mr. Adam, and state it to h know where the objection lies payment of your annuity. T in the month of July last. Mr. had gone, two days after I sa Clarke, into Scotland, and had turned when I came back to in October, therefore I never s but at the persuasion of Mrs. by a letter she wrote to me, she that his Royal Highness was p to hear what I had to say, as told it to him. I had the ho waiting upon the Duke of Yo telling his Royal Highness what she had stated, not pre to vouch for its veracity in an whatever. His Royal Highn mediate and prompt answer was, her conduct is so abom that I will hear nothing at al her. Any thing I could possib after what I have now said w superfluous; there is the con that is the epilogue of any thin to state; and as to any thought proper by the honoural tleman, or any circumstances cited or remarked upon, I am rant as a man unborn.—With

to the gentleman who has this moment been at your bar, I did receive a letter from him last light, which I have in my pocket, and will deliver, if it is the pleasure of the House, to which I certainly wrote him a civil answer; I said I was obliged to him for his attention, but that I had no interference in the question before the House, and that I never would directly nor indirectly have any interference with it."

[Colonel Mac Mahon delivered in the letter, and it was read.

"SIR,

"I have this moment left Mrs. Clarke, and I think there are parts of the conversation I have had with her, any confidential friend of the Duke of York's would be solicitous to know.

"If you are of that number, you perhaps would choose to see me; or, if not, refer me to some one immediately you think would.

"I hope you will not attribute the hasty manner of this confused address to intentional want of decorum, for, on the contrary, with the sincerest sentiments of gratitude, and very great respect,

I am, Sir,
Your most obliged,
humble and obedient servant,
WM. WILLIAMS."

"*Richold's Hotel, near 4 o'clock, Wednesday.*"

"I understood you was going to ride; I have therefore directed the porter, if possible, to find you."

"*Col. Mac Mahon.*"

The CHANCELLOR of the EXCHEQUER desired that Colonel Gordon might be called in. He accordingly appeared at the Bar.

(*By* MR. PERCEVAL.)

Q. Have you seen a man of the name of Williams? A. I have.

Q. Did he say any thing to you upon the subject of this inquiry?

A. I will state to the House exactly what he did say:—About four o'clock this evening I was at the Chancellor of the Exchequer's on business, and on withdrawing, a servant of Mr. Perceval's told me that a gentleman was in such a room, and desired to see me. I was shewn into the room, and I there saw a person whom to my recollection I never saw before. He addressed me as follows: "Never having had the honour, Sir, of being introduced to Colonel Gordon, I am not certain that I am now speaking to him; are you Colonel Gordon?" I said, Sir, that is my name. He had said, Sir, I have been desirous of making a confidential communication to the Duke of York upon the business now before the House, and to that purpose I addressed a letter to Colonel Mac Mahon yesterday. Colonel Mac Mahon wrote me an answer (I think he said a civil answer) declining any interference whatever. I have addressed myself this morning to Mr. Adam, and he declined it also. Now, Sir, if you are of the same way of thinking as those gentlemen, it is needless for me to enter upon the business. I said, I am entirely of that way of thinking, Sir. He said, My object is to make a communication to the Duke of York, of a conversation I had with

Mrs. Clarke (I think he said the day before yesterday or yesterday, I will not be quite certain about that) and I think it very desirable that the examination which she is to undergo this evening should be suppressed. I told him that I declined making any communication whatever, and that I was not in the habit of making any confidential communication to the Duke of York, but what arose out of my official situation, and my words were these: I recommend you, Sir, to go to Mr. Lowten, he will advise you, and advise you well. I then withdrew, for the purpose of going out of the room, and it occurred to me I might as well ask him his name, and I addressed him in these words: Pray Sir, do me the favour to give me your name. He hesitated at that, and told me he had told it to Mr. Adam. I repeated my question, I beg Sir, to ask your name; he said, Sir, my name then is Williams. I think I am correct in what I say. He walked out of the room, and I thought it necessary to call Mr. Perceval, and told him word for word what I have now had the honour of repeating to the House.

[*The Witness was directed to withdraw.*]

The Right Hon. CHARLES LONG, *made the following statement.*

I have been very anxious to say a word to the Committee, in consequence of the manner in which my name has been mentioned by Mrs. Clarke, and have only been prevented doing so, in consequence of the interruption that has taken place in her examination. She stated that his Royal Highness the Duke of York had mentioned to her, that he had mentioned Mr. Dowler's name to me for an appointment in the Commissariat, and that in consequence of that I had said it should be settled immediately. Upon that I have to state, that to the best of my recollection his Royal Highness never mentioned the name of Mr. Dowler to me upon any occasion whatever, nor do I recollect having heard his r until I saw that gentleman at th of this House. The other poin on which my name was also all to, it is hardly necessary, perha should explain; *(Hear! Hear!)* I have only to say upon that, that Clarke has stated, that his I Highness had also said that he shewn a list of seventeen memb this House who would vote with Pitt in case this appointment place, (*cries of No! No!*) and t was very much delighted with th If I had seen any such list, I dar I should have been very muc lighted with it, as it was repres that a number of gentlemen o side of the House were likely to voted upon that question with with whom I generally act; I have only to say, that neither that occasion, as connected wit appointment of Mr. Dowler, no other, did his Royal Highness shew me any such list.

(*By* MR. WILLIAMS WYNN

Q. In the year 1805, were ar pointments made to the Comr riat through you by his Royal H ness's recommendation?

A. I remember particularly tl commendation of the Duke of being made through me to Mr. for the appointment of Mr. M to the Commissariat early in the 1805; his Royal Highness the of York mentioned to me, that disputes prevailed amongst seve the officers of the 10th regime the Light Dragoons, and tha paymaster, Mr. Manby, was much involved in those dispute thought; that all the officers, I he said, were a good deal to bl as well as I recollect, and that he quite sure that the animosity that sisted would never be done while Mr. Manby remained pay ter of that regiment; he said, he did not think that any thing had come to his knowledge peached the integrity of Mr. M

but that he wished him to be removed to some other situation to which his talents were adapted. About the same period, an honourable member of this House, one of the members for the county of Surrey, who represented himself, I think, as a relation of Mr. Manby's, stated also his anxious wish to me, that some appointment might be found for Mr. Manby, and that he should quit the regiment. I mentioned, as I was desired, to Mr. Pitt, both what had been stated by his Royal Highness the Duke of York, and what had been stated also by the honourable member to whom I have alluded, Mr. Sumner, and in consequence of that, he was appointed an Assistant Commissary.

Q. Did you, about that time, receive any other recommendation of the Duke of York's for the Commissariat Department?

A. None whatever, that I recollect.

(Mrs. Mary Ann Clarke *was called in again, and examined as follows;*)

Q. What first gave you the idea that it was possible to procure money by disposal of commissions in the army?

A. By persons applying to me; and I found that his Royal Highness was very ready to oblige me when I asked him.

(By Mr. Lambert.*)*

Q. Do you recollect having desired Mr. Corri to burn any letters or papers that were in his possession?

A. Yes, I do.

Q. Was that desire expressed by letter or by word of mouth?

A. By word of mouth.

Q. When was that desire expressed?

A. I cannot speak as to the time, but I believe some piece of work had happened publickly; I forget upon what occasion, whether it was about Lord Melville's trial, or what, something or another that way.

Q. Do you recollect having made use of these expressions, that there would be a terrible noise about it, and the Duke would be very angry?

A. It is very likely I did; I dare say I did.

Q. What did you mean by those expressions, in case you did use them?

A. That he would be very angry with me for being incautious.

(By Mr. Lyttleton.*)*

Q. You have stated that you only received a thousand a year from the Duke of York; had you credit with the Duke's tradesmen? A. No.

Q. You have stated, that you received money for procuring a commission for Mr. Dowler and a letter of service for Colonel French; was money paid to you before you made applications to the Duke upon either of those accounts? A. No.

Q. Had you a promise of money?

A. Yes.

Q. When you made the application to the Duke, did you state to him that you had a promise of pecuniary reward?

A. I stated the whole case of Mr. Dowler.

(By Mr. Sheridan.*)*

Q. Do you recollect to have had any negociations respecting other promotions, entirely disconnected with the military department?

A. If you will point out what those things were, I will answer to it.

Q. Had you any negociation or money transactions respecting promotions in the church?

A. I never received any; but a Dr. O'Meara applied to me; he wanted to be a bishop; he is very well known in Ireland.

Q. Are you confident you never had any application or negociation for any other preferment in the church but this of Dr. O'Meara?

A. Yes, lately.

Q. State what those applications were.

A. I hardly gave myself time to read them, as I have no interest now.

Q. For what rank of promotion were those applications made?

A. Something about a deanery or a bishoprick.

Q. Through what channel were the persons applying led to believe you were to promote their wishes?

A. I do not know; I believe still the Duke of York, they thought.

Q. Those applications were since the connection between yourself and the Duke of York had ceased?

A. Yes.

Q. Did you state the name of any other great or illustrious person to those persons so applying, or any agent applying on their behalf?

A. No, certainly not.

(*By* Mr. PERCEVAL.)

Q. Do you recollect the name of any person who applied for those church preferments?

A. Is it wished the gentleman who wrote to me, or the gentleman who wanted the step in the church?

Q. Both.

A. Those are some of the letters that Colonel Wardle run off with, that relate to them.

Q. State the names of any persons who applied for those church preferments.

A. The gentleman is determined to deny it; I have just been speaking to him now upon that subject.

Q. What is his name?

A. Donovan.

Q. On whose behalf did Mr. Donovan apply to you?

A. I do not know; he talks a great deal about Dr. Glasse, and a great many other doctors; but it was not for Dr. Glasse that the appointment was wished.

Q. For whom was it that the appointment was wished?

A. I cannot recollect the name; but it is in those letters that Colonel Wardle has, I think.

Q. How do you know that Mr. Donovan means to deny this fact; of having made this application to you for church preferment?

A. I do not know that he means to deny about the church preferment, but he means to deny it altogether; and I never did prefer any one church.

(*By the Hon.* MONTAGUE MAT

Q. Did you ever receive from Mr. Donovan, telling yo very quick in your application Duke of York, or perhaps other illustrious person woul fere with him, and get the ment; and who was that illu person?

A. I believe the person wh almost all the patronage of the in England, he alluded to, or entitled to it, as being the first personage in England; but Wardle told me he would bring that name forward, or tha

Q. Did you ever receive from Mr. Donovan, telling be very quick in your applica the Duke of York, or perhap other illustrious person woul fere with him, and get the prefe

A. Yes, I received such a l

(*By* MR. WARD.)

Q. Did you ever comm Dr. O'Meara's offer for a bish to the Commander in Chief?

A. Yes, I did, and all his ments.

Q. What was the Comman Chief's answer?

A. That he had preached his Majesty, and his Majesty like the O in his name. I neve tioned that till this moment, to the Doctor himself.

Q. Did Dr. O'Meara speci particular sum; and what w sum?

A. I think that gentleman m a friend of his, and he must better than I do, and he may lect perhaps.

Q. Did Dr. O'Meara speci particular sum?

A. I forget; and I have b almost all my papers: I might lect, but not at this moment.

(*By* MR. YORKE.)

Q. Do you recollect at what Dr. O'Meara made this applica

A. In 1805, the very night that the Duke was going to Weymouth; he called upon me the moment the Duke had left the house, between twelve and one o'clock; I think he watched his Royal Highness out, as he had seen that his horses were waiting in Portman-square, and then he came in just as I was upon the stairs, and said it was a very good opportunity, for he was going to Weymouth immediately, and asked me to come down stairs again, and write him a letter of introduction to his Royal Highness, and I did so.

Q. You have said you had no credit with the Duke's tradesmen; do you mean to say that the Duke did not pay any of your tradesmen's bills?

A. I do not recollect that ever he did, except one to a milliner.

(*By* Sir George Warrender.)

Q. You have stated, that the Duke of York had paid several sums of money in addition to the thousand a year, upon various occasions; do you still adhere to that statement?

A. He paid 1300*l.* to the silversmith, to balance from what I had paid; I do not recollect any thing at present but that.

Q. Did not the Duke of York pay several other considerable sums, besides the 1000*l.* a year, during your residence in Gloucester-place?

A. He paid for one landau, and that is all I can recollect at all.

Q. Are you positive that you can recollect no other sums being paid for you by his Royal Highness?

A. I cannot recollect one except those.

Q. What was the amount of your debts at the separation from his Royal Highness?

A. Something under 2000*l.* I sent in to him the next day by Mr. Comrie; but I found them to be more upon examination.

Q. Did you understand, when you were asked whether the Duke of York had paid any other sums besides the 1000*l.* a year, that the question applied to sums paid to tradesmen; if so, state now whether you received yourself any sums from the Duke of York besides the 1000*l.* a year.

A. I do not recollect any.

Q. For what period did you reside in Gloucester-place?

A. I should think about two years and a half, or three years.

(*By* Mr. Graham,)

Q. During the two years and a half or three years you lived in Gloucester Place and Weybridge, was the Duke of York well acquainted with the extent of your establishment?

A. Certainly; never a day passed without his being there, except the time that he went to the King.

Q. On whom was the Court Martial, on which you stated on a former evening that you had been a witness?

A. On Captain Thomson.

Q. What was the nature of the evidence you gave? (*Loud cries of No! No!*)

The witness was directed to withdraw.

Mr. Whitbread observed, that the Witness had complained of ill-treatment, it was necessary to protect those who were summoned to attend the House, and therefore he should move, "That the Serjeant at Arms be ordered to afford her protection."

Mr. Sheridan said, he wished to see protection extended to all witnesses appearing there, especially when that witness was a lady; but his hon. friend appeared to him to assume a fact which he should have proved; he could say, that on being called out of the House on some business, he had an opportunity of enquiring into the justice of her complaint; he had spoken to the Bailiffs, and those who were in attendance, and they assured him that she had not suffered the slightest insult; before, therefore, an order of this kind was inserted in the minutes

nutes, he thought his hon. friend was called upon to prove the f had assumed.

Mr. Whitbread said, that he considered even the compl the witness a sufficient ground for giving the orde; if, howev hon. friend would undertake to say she had suffered no insult, h willing to withdraw his motion.

Mr. Sheridan would not himself undertake to say that she ha fered no insult, but the House would be able to have it stated Bar, by the same authority upon which he spoke.

Mr. Mellish stated, that he understood she had sent for th jeant at Arms, who went to her carriage, and saw her up, w suffering the least offence.

Mr. Adam could not agree with his hon. friend that the bare ment of the witness was enough to justify and to call for the to the Serjeant at Arms; but as it might be material to ascerta truth of her statement, he wished the Serjeant to be examined.

(John Clementson Esq. *the Deputy Serjeant at Arms, was accordingly called in.*)

Q. State to the Committee what you know relative to the coming of Mrs. Clarke to the House, and her passage from her carriage up to the door.

A. I directed the messengers, when Mrs. Clarke was ordered to be called in, to go to her; it was sometime before they could find her; I directed them to go to the different coffee houses, and at last learnt that she was waiting in her carriage close to the House of Commons. She sent me a message by a messenger, stating that she had been insulted, and she would not get out of her carriage till I came for her. Immediately I went down. When I got there, I saw seven or eight people, or a dozen people, I do not think mo carriage door was opened, a was handed out, and not a wor ed. I took a constable wit and brought her up to the H There was not a word said to the way I came with her here.

Q. Was not there a consid croud in the passages leading House?

A. Yes, there were several p a great many servants, they standing on one side; there wa room enough for us to pass.

Q. Did any of those persons her?

A. Not a word passed, t knowledge.

Q. Who was the messenger you sent for her?

A. His name was Skelton.

Q. He was sent by you for Clarke. A. Yes.

The witness was directed to withdraw.

Mr. Brand requested that the statement of Mrs. Clarke o first coming to the Bar might be read, as he suspected there was a tradiction between it, and the Serjeant's account.

Mr. Whitbread and other members said, that there was nc tradiction.

(Miss Mary Ann Taylor *was then called to the Bar, and examined by* Mr. Wardle.)

Q. Were you in the habit of visiting in Gloucester-place, when Mrs. Clarke was under the protection of the Duke of York?

A. Very frequently.

Q. Did you ever hear the of York speak to Mrs. Clark pecting Colonel French and his

A. Once only.

Q. Relate what passed a time?

A. The Duke's words wer

nearly as I can recollect, I am continually worried by Colonel French — he worries me continually about the levy business, and is always wanting something more in his own favour. Turning to Mrs. Clarke, I think he said, "How does he behave to you, darling?" or some such kind words as he used to use; that was all that was said.

Q. Do you recollect any thing further passing than what you have stated?

A. Mrs. Clarke replied, "Middling, not very well." That was all that she said.

Q. Was that the whole of the conversation? A. No.

Q. Relate the rest?

A. The Duke said, "Master French must mind what he is about, or I shall cut up him and his levy too." That was the expression he used.

(*By the* ATTORNEY-GENERAL.)

Q. How long have you known Mrs. Clarke? A. Ten years.

Q. Have you known her no longer than ten years?

A. I do not exactly recollect, it may be something more.

Q. Where did you first become acquainted with her?

A. At a house at Bayswater, near the Gravel Pits.

Q. Where do you live yourself.

A. At Chelsea.

Q. With whom did you live at Bayswater? A. With my parents.

Q. What are your parents?

A. My father was a gentleman.

Q. Do you live with your father now? A. No.

Q. Is your father living? A. Yes.

Q. Is your mother living?

A. Yes.

Q. Do you live with your mother?

A. No.

Q. Are you married? A. No.

Q. With whom do you live?

A. My sister.

Q. What is your sister's name?

A. Sarah.

Q. Is she a married woman or a single woman? A. Single.

Q. Where do you live?

A. Chelsea.

Q. In lodgings or as housekeepers?

A. Housekeepers.

Q. Are you of any profession?

A. If a boarding-school be a profession.

Q. In what part of Bayswater did Mrs. Clarke live when you knew her there?

A. It is called Craven-place, within two doors of our house.

Q. Who lived with her?

A. Her husband, when I first knew her.

Q. Have you known any one living with her since?

A. His Royal Highness the Duke of York.

Q. Have you known no man live with her but his Royal Highness, since her husband lived with her?

A. Not to my knowledge.

Q. Have you seen much of her; have you been intimately acquainted with her? A. Yes.

Q. You are not related to her, are you?

A. My brother is married to her sister.

Q. Did you know her when she lived at Tavistock-place? A. Yes.

Q. Did her husband live with her there?

A. I never saw him there, I understood she lived with her mother there?

Q. What time passed between her leaving her husband and her living with the Duke of York?

A. I cannot recollect.

Q. About how many years?

A. I do not know that.

Q. How long ago did you know her at Bayswater?

A. Somewhat about ten years: I cannot say exactly.

Q. Had not her husband left her before she left Bayswater?

A. I do not know.

Q. Do you mean to say, you do not know whether Mrs. Clarke's husband had left her before she left Bayswater? A. Yes.

Q. What was her husband?

A. I always understood he was a man of some fortune.

Q. Do

Q. Do you not know that he had only an annuity of 50*l.* a year, which was paid him weekly?

A. I never heard such a thing.

Q. Did you ever see him with Mrs. Clarke, during the latter part of her stay at Bayswater!

A. No.

Q. During the latter part of the time Mrs. Clarke staid at Bayswater, you never saw her husband, Mr. Clarke, there?

A. I do not recollect that I did.

Q. Where did Mrs. Clarke go from Bayswater?

A. I do not recollect.

Q. Do you remember her in Park-lane?

A. She called upon me one day, and said she was in Park-lane.

Q. Were you in her house, at Tavistock-place, often?

A. Yes.

Q. Did you live with her there?

A. I never lived with her at all.

Q. You never slept in the house

A. Yes, frequently.

Q. Do you know that any one liv with her but her husband at th time?

A. No.

Q. You took her to be a mode decent woman, whilst she lived Tavistock-place?

A. She lived with her mother, a thought, and I knew nothing to t contrary.

Q. What is your father's name?

A. The same name as mine.

Q. Taylor?

A. Yes.

Q. What is his Christian name?

A. Thomas.

Q. Where does he live now?

A. I had rather be excused a swering.

The witness was directed to withdraw.

Lord Folkstone objected to the question, as irrelevant, li many others that had been put, and serving no other purpose th that of hurting the witness's feelings.

The Attorney-General said, that if he could place the sa confidence upon her testimony that he would upon that of the no Lord, the question would have been irrelevant. This, however, did not. Much of the case before them was to depend upon the ve city of the witnesses, and in estimating that veracity, much was to inferred from their situation in life---(*Loud cries of No! no! no*

"Perhaps," said he, "I have not put it right: I do not mean to a sert, that when persons in such a situation conduct themselves h nestly, they are not to be believed; I mean to say, that when th conduct is improper, it affects their evidence. It is an unpleasant b siness for any man to be obliged to extricate evidence, as I ha with my humble endeavours, attempted to extricate; and I am p fectly aware how easy it is to raise a laugh against the pers examining.

Miss Taylor was called in again, and asked by the Attorn General,

Q. Where does your father live?

Q. I do not know.

(*By* Mr. Perceval.)

Q. Do you mean that your credit should rest upon the veracity of t answer, that you do not know wh your father lives?

A. I do not exactly understa the question.

The witness was directed to withdraw.

Mr. Brand put it to the right hon. gentleman, whether he wo

pers

Miss Taylor.

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persist in that question, and whether the feelings of duty under which the witness probably answered, ought not to be consulted?

MR. PERCEVAL declared, he did not believe in the reason just assigned, but that she declined answering because it was leading to a train which might discover her falsehood; and he put it to the House whether, under the circumstances in which she says she does not know where her father lives, she is to be believed?

MR. WILBERFORCE objected to the mode of putting the question, as conveying the fact of a falsehood. He conceived that was rather a matter of inference to be drawn by the House.

MR. KENRICK stated to the House, he had been informed the person alluded to had been arrested a few hours since, and that might be a reason for her saying she did not know where he lived.

MR. YORKE conceived, that if she were to be screened from such questions, they might have common street-walkers brought with impunity to give testimony against the noble personage. The form of the question appeared to him intended to warn her of the consequences of her answer.

The witness was again called in.

(*By the* ATTORNEY GENERAL.)

Q. Do you mean seriously upon reflection to abide by your answer, that you do not know where your father lives? A. Yes.

Q. How long is it since you have seen him? A. About a fortnight.

Q. Do you know where he was living when you saw him last?

A. At Chelsea.

Q. In what street at Chelsea?

A. I beg leave to decline answering that question.

Q. What reason have you for declining answering that question?

A. I do not like to tell to so large an assembly where I live.

Q. Were you living with your father? A. Some time ago.

Q. A fortnight ago were you living with your father?

A. He did not live with me, he had just come from the country.

Q. Was he living at Chelsea?

A. He staid two or three days with me.

Q. Where had he been living in the country before he came to you?

A. He had been going about different parts; I do not know where.

Q. Is he of any business. A. No.

Q. What objection have you, who keep a boarding-school, to tell this House where you live, particularly?

A. I have answered that just now.

Q. Will you repeat it?

A. I did not wish to inform so large an assembly of my residence.

Q. What reason have you for wishing to conceal where you live from so large an assembly?

A. They will find I am poor, and doubt my veracity.

Q. You may be assured your veracity will not be doubted on account of your poverty; state to the House where you live, and what street in Chelsea you live in?

A. China Row.

Q. What number? A. No. 8.

Q. Do you keep a boarding-school at that place?

A. I and my sister do.

(*By another* MEMBER.)

Q. Was any body present besides yourself at the conversation which you allege to have passed between the Duke of York and Mrs. Clarke, respecting Colonel French? A. No.

(*By the* ATTORNEY-GENERAL.)

Q. Did you often see the Duke of York in company with Mrs. Clarke.

A. Yes.

Q. How often may you have seen him?

A. I do not recollect; seldom three weeks passed that I did not.

Q. How long have you kept a boarding-school? A. Two years.

Q. At the same place? A. No.

Q. Where before?

A. At Kentish Town.

Q. What part of Kentish Town; what street? A. It had no name.

Q. Can you tell what number?

A. No, it was neither a number, nor had the place a name; there were but two houses.

Q. Did you keep that boarding-school under the name of Taylor?

A. Yes.

Q. Where did your father live at that time?

A. I beg to be excused answering any questions concerning my father.

Q. Where did your father live at that time?

A. He lived with me during part of the time there?

Q. How long have you lived at Chelsea?

A. Last Michaelmas twelvemonth.

Q. How long had you lived at Kentish Town?

A. Not above three quarters of a year.

Q. While you were at Kentish Town, where did your father live, when he was not with you?

A. I had rather not answer that question.

Q. While you were at Kentish Town, where did your father live, when he was not with you?

A. I must appeal to the indulgence of the Chairman.

[The Chairman informed the witness that there appeared no reasonable objection to her answering the question, and that therefore it was the pleasure of the Committee that she should answer it.]

A. I cannot recollect just now.

(*By* MR. PERCEVAL.)

Q. Why did you wish to be excused answering that question, when you only did not recollect where it was that your father lived?

A. For that reason.

By the ATTORNEY-GENERAL.

Q. How long ago is it that you heard the conversation you have been speaking of, between his Royal Highness and Mrs. Clarke?

A. I cannot say exactly.

Q. As nearly as you can?

A. During Mrs. Clarke's residence in Gloucester-place.

Q. Where did you live then?

A. We moved, about that time, but I do not recollect whether that circumstance happened afterwards or before.

Q. From what place to what place did you move?

A. From Bayswater to Islington.

Q. Did your father live with you at Bayswater, at the time you removed to Islington? A. Yes.

Q. Did he live with you at Islington? A. Yes.

Q. Where did you live at Islington?

A. Dalby Terrace.

Q. Do you recollect what number?

A. No. 5.

Q. What business did your father carry on then? A. None.

Q. Has your father never carried on any business? A. No.

Q. What business was Mr. Clarke?

A. I never heard that he was of any business.

Q. How long did you live at Islington? A. A little more than a year.

Q. Was that before you went to Kentish Town?

A. Immediately preceding it.

Q. You lived at Kentish Town about three quarters of a year.

A. Exactly.

Q. Do you know Mr. Wardle?

A. Yes.

Q. How long have you known him?

A. Not more than two or three months.

Q. Have you known him two or three months? A. Yes.

Q. At whose request do you attend here to-night?

A. At the request of Mrs. Clarke.

(*By another* MEMBER.)

Q. Did you ever see Mr. Dowler at Mrs. Clarke's house at Gloucester-place? Yes.

Q. Did you ever see Mr. Dowler in

in the same room with His Royal Highness the Duke of York and Mrs. Clarke? A. Never.

Q. Were you ever told by Mrs. Clarke, that she had represented Mr. Dowler to the Duke of York as Mrs. Clarke's brother? A. Never.

Q. Do you believe that your father's affairs are in a state of embarrassment? A. Yes.

Q. Do you know Mr. Williams, a Clergyman, of Kentish Town?

A. I never heard his name.

Q. Have you always kept a boarding-school at your different residences?

A. At Kentish Town, and at Chelsea.

Q. How many scholars have you now? A. About twelve.

Q. How long did you reside at Kentish Town?

A. Three-quarters of a year.

Q. Did you remove immediately from Islington to Kentish Town?

A. Yes.

Q. How long did you reside at Islington? A. More than a twelvemonth.

Q. How much more than a twelvemonth? A. Seven or eight months.

Q. The conversation that you have stated you heard to take place between the Duke of York and Mrs. Clarke, you stated to have passed about the time you removed from Bayswater to Islington; is that correct?

A. Yes, it must have been about that time.

Q. Was it about that time?

A. I cannot say exactly.

Q. Upon recollection, can you recal to your mind any circumstances that will induce you to believe that it was about that time? A. No.

Q. Then, do you state that without any precise recollection on the subject?

A. Only by guess.

(By MR. WARDLE.)

Q. Do you recollect ever seeing Colonel French in Gloucester place?

A. I have heard him announced; but I cannot say that I was introduced to him.

(By MR. BERESFORD.)

Q. What is the age of your youngest scholar? *(A cry of No! No!)*

A. Seven.

[*The witness was directed to withdraw.*]

(MR. DANIEL SUTTON *the Deputy Judge Advocate examined by* MR. WARDLE.)

Q. Do you recollect Mrs. Clarke being at Captain Thompson's Court Martial, at Colchester? A. I do.

Q. State to the Committee what passed relative to her being put down a widow.

A. In consequence of my having been directed to summon Mrs. Clarke to appear to give evidence before the Court Martial that was sitting, on charges preferred against Captain Thompson, I applied to Captain Thompson's solicitor, a Mr. Smithies, and desired he would send to me the Christian as well as the surname and description of Mrs. Clarke. Mr. Smithies delivered to me the description upon paper; and, as near as I can recollect, her name was Mary Ann Clarke, of Loughton Lodge, in the county of Essex, widow. In consequence of the description so given to me, by Mr. Smithies, I entered it upon the minutes of the Court, and administered the oath which I usually administered to witnesses, and then having read the charges to Mrs. Clarke, she then answered the questions which were put by Lieutenant Colonel Fane, who was the prosecutor; was afterwards examined upon questions submitted by Mr. Smithies, who was concerned for Captain Thompson, and then upon questions that were asked her by different Members of the Court. I have a recollection, I think, of Mr. Smithies having communicated to me, she was not examined the first day she was summoned, in consequence of a witness, of the name of Maltby, who had been under examination for a considerable time. I think Mr. Smithies communicated to me some delicacy Mrs. Clarke had, as to the appearance before the Court, and as to questions that might be put to her; and I told him that she need not be under any apprehensions, for no improper questions should be put to her; if she answered the interrogato-

ries of the prosecutor and the Court, she need be under no apprehension as to any disagreeable questions, which she seemed to apprehend might be put to her; and she susequently answered every question that was put; and, upon that particular charge, Captain Thompson was afterwards honourably acquitted.

Q. Did she herself, state herself to be a widow, or was she asked, or did any conversation pass between yourself and her, upon that subject?

A. I really am not quite sure, I saw Mrs. Clarke once or twice previous to her examination that day, in order to communicate to her that she must stop; and Mr. Smithies, requested me to step to the Cups, where he was, to let him have the proceedings, to prepare Captain Thompson's defence; I rather think it was Mr. Smithies, for I perfectly remember, which is usual where the Assistant Adjutant General of the district does not deliver me the list of the witnesses, but where they come from the Solicitor of the party, that he will deliver to me the name and description, and I rather think it was in consequence of what he said to me.

Q. You do not recollect asking her the question whether she was a widow or not?

A. Upon my word I do not recollect whether I did.

Q. You do not recollect any conversation that passed relative to her situation; her wishing to avoid publicity?

A. I do not recollect the particulars, but I do recollect, either before or after the time that Mr. Smithies asked me to step down to the Inn, with the papers, that she said she was in a very delicate situation, and alluded to her situation; I do not recollect that she mentioned the particular person under whose protection she was, but she alluded to it, and I understood from general report what she meant.

(*By* Mr. Smith.

Q. Was she particularly described as a widow, or did she answer to the interrogatory whether she was or was not a widow?

A. She answered to no interrogatory upon that subject, it is not the practice for witnesses at Courts Martial to answer to such interrogatories, unless they are specifically put; the name and description is put down, and then the charges read; then the oath is administered, and then the question put.

(*By* Mr. Beresford.)

Q. Do you recollect any evidence that came forward at that Court Martial, relative to a bill of exchange?

A. Yes I do, Mrs. Clarke was examined, and gave evidence upon two bills of exchange.

The witness was directed to withdraw.

An objection was taken by Mr. Abercrombie, to going into evidence of what passed upon that Court Martial, where the minutes themselves were to be produced, and were the best evidence the nature of the case admitted. This gave rise to a short discussion between Mr. W. Wynne, Mr. Canning, and Mr. Whitbread, when the objection was abandoned, and the examination resumed.

[The witness was again called in.]

Q. Relate the circumstances of her testimony, so far as you recollect.

A. I have the original minutes which I took at that Court Martial, in my pocket.

Q. Refer to that part of the evidence which refers to the bill of exchange signed Elizabeth Mackenzie Farquhar.

A. "Mary Ann Clarke, of Loughton Lodge, in the county of Essex, widow, a witness produced by the prosecutor.

prosecutor, being duly sworn, was examined."

Q. Was that read to her?

A. No, I believe it was not read to her.

The witness read the following extract from the minutes.—" Q. Look at this bill; is the body of it and signature your hand-writing?—The witness was then shewn the bill of the 1st May, 1807, and then deposed. A. Yes, it is; but it purports to be the hand of my mother; she was present when it was written. I am frequently in the habit of guiding her hand when she writes, or takes any thing in her hand, in consequence of her being very infirm and very nervous.—Q. Look at this bill; is the body of it and signature your hand-writing?—The witness was then shewn a bill of the 15th July, 1807. A. It is.—Q. Look at both the bills, and state to the Court, whether the acceptance of both is the hand-writing of Mr. Russell Manners.—A. Yes, in the presence of myself and my mother.—Q. Did you, or your mother, give these drafts to Captain Thompson? A. My mother the first, and myself, I believe, the last.—Q. Was Captain Thompson aware that you signed the name of Elizabeth M'Kenzie Farquhar to these drafts, when they were given to him? A. Never.—Q. Did he not know your hand-writing from your mother's? A. I do not think he does, when I direct her hand.—Q. Was Mr. Russell Manners indebted to you in a sufficient sum, to authorize you to draw upon him, for the sum of 100*l.*? A. He was.—Q. State to the Court the reason why you did not indorse the bill dated the 20th of May, 1807. A. I had no reason; I was not aware of the circumstance that I had not indorsed it; it never was returned to me to be indorsed.—Q. Do you recollect the date of the bill, dated the 15th of July, 1807, being altered? A. No, I do not.—Q. When those bills were given to Captain Thompson, had you any doubt but that Mr. Russell Manners would pay them when they respectively should become due? A. Not the least.—Q. Had you ever before these bills were drawn, drawn bills upon Mr. Russell Manners; and if you had, were such bills paid when due? A. I never did; I have more bills of Mr. Manner's, but I have never made use of them, finding that those bills were not duly honored.—Q. Had you any good reason to believe that Messrs. Maltby would pay the bills when they became due; and if you had, state to the Court what were the reasons on which your belief was founded? A. I certainly thought that Mr. Rowland Maltby would pay them, because I knew that he had at different times paid some thousands for Mr. Manners; besides which, Mr. Maltby knew I had assisted Mr. Manners with money, and therefore I thought he would take care of those bills before others.—Q. Had you any personal communication with Mr. Rowland Maltby respecting the bills in question, previous to the last week? A. Never.—Q. Have you had any personal communication with him respecting them within the last week, and if you have, state to the Court the substance of it. A. On Thursday last I went, accompanied by my mother, to Mr. Rowland Maltby's, and he told me that he was coming."

Q. Does it appear upon the minutes of that Court Martial, from the testimony of Mrs. Clarke, that she put the pen into her mother's hand, and with that wrote her name upon a bill of exchange?

A That is in the answer to the first question that was put to Mrs. Clarke.

(*By* Mr. Gibbs.)

Q. During the proceedings of that Court Martial, were any private questions put in your presence to Mrs. Clarke out of Court, respecting her being a widow, which were afterwards entered upon the minutes?

A. I do not recollect any; I had, conversation,

conversation, as I mentioned before, with Mr. Smithies, and, I believe, with Mrs. Clarke, I am not exactly sure, but I cannot recollect the whole of that conversation; it was relative to her delicacy with respect to her being examined, and her fear that unpleasant questions might be put to her generally; I have no recollection of any as to her being a widow; I desired Mr. Smithies, understanding that Captain Thompson was brother to Mrs. Clarke, that he would give me her description, and he gave it upon paper.

[*The witness was directed to withdraw.*]

(MR. THOMAS PARKER *was next ed in, and examined by* MR. V DLE.)

Q. Refer to your book as tc date of any payment that was n by Mrs. Clarke in the year 18 500*l.* on account of a servic plate.

A. I know nothing of the sul at all; I was only left executo Mr. Birkett; I have a book here which there is some account, whi looked at to-day, which I did know of before.

Q. Produce the book.

[*The witness fetched the book which appeared the following count.*]

Mrs. CLARKE, Dr.

1804.		£.	s.	d.
16 May.	The whole of the above-mentioned articles for - - - -	1,363	14	10
	An elegant rich chas[d] sil[r] epergne, with 4 branches, and rich cut glasses to d[o] — 153. 16. 100	139	13	0
	Very large oval sil[r] tea tray - 183. 8.	84	0	0
	An elegant rich chas[d] sil[r] tea pot, sq[r] ivory handle - — oz. 22	16	16	0
	12 gadroond sil[r] soup plates, to correspond with the others — 242. 1. 93. 14.	105	0	0
15 June.	2 large silver gadroond waiters - - — 129. 9 a' 9' 49. 11	58	3	0
	Putting on silver plates for arms, and polishing the above - -	16	5	6
	Engraving arms and crests on y[e] above	21	6	0
	Silver tankard - - -	15	15	0
	P[r] sugar tongs - - - -	0	18	0
		1,821	11	4

PER CONTRA Cr.

1804.		£.	s.	d.
18 May.	By cash on acc[t] - - -	500	0	0
12 July.	By a bill at 2 mo[s] - - -	200	0	0
Nov. 14.	By a d[o] 4 mo[s] - - -	200	0	0
	By a bill at 6 mo[s] - - -	200	0	0
	D[o] d[o] 8 mo[s] - - -	200	0	0
	D[o] d[o] 10 mo[s] - - -	200	0	0
	By a bill at 12 mo[s] - - -	200	0	0
	By cash, a draft on Coutts and Co. 23 July	121	0	0
	Abated - - - -	0	11	4
		1,821	11	4

Q. Do you know any thing more of that book; or do you know as to any of the payments, by whom they were made; or what those bills were, or upon whom drawn?

A. I do not know any thing more of it; there is another little account in this book; here is nothing here which states at all what bills they were. I did not know any thing of it till today; I was not sure whether the summons was intended for me or not, for my name was not inserted, nor where Mr. Birkett lived; it was inserted Princes-street, Hanover-square; I never knew him live there. I came down, it being left at my house.

Q. Do you know who the late Mr. Birkett's bankers were?

A. Yes, Marsh and Company in Berner-street.

Q. Have you any other memorandum in that book?

A. Here is some other account of goods, watches, and some other silver goods, and various other articles, which amounts to 286*l.* 9*s.* besides the other account.

[*The witness was directed to withdraw.*]

(Mr. Combe *examined.*)

Q. Will you mention the circumstance of your seeing Mr. Dowler shortly after he had received his commission in the Commissariat?

A. I was riding through the street, and I met Mr. Dowler by accident, I had heard before with] great pleasure that he had got an appointment in the Commissariat; I was not unacquainted with the reverses of fortune he had sustained at the Stock Exchange, and I was rejoiced to hear that he had an employment that would yield him a comfortable maintenance; I stopt him to give him my congratulations, and having heard that he had got this by the request of Mrs. Clarke, I asked him whether he had obtained it by the interest of Mrs. Clarke or Mr. Brook Watson; his reply to me was "O by Mr. Watson's."

Q. From your knowledge of Mr. Dowler, do you believe him man of integrity?

A. Perfectly so, I would h commended him to any situa was a candidate for.

Q. From whom had you he he obtained the appointmen Mrs. Clarke?

A. I know a great many who are equally acquainted w Dowlers: from various per heard it, but I cannot recoll individual.

Q. Did you know of yo knowledge that there has be connection between Mr. Dowl Mrs. Clarke?

A. I did not.

Q. Cannot you recollect a son among many individual whom you heard it?

A. It is a great many years I were compelled to say who, I select my own son.

(*By* Lord Folkstone.)

Q. Do you not from yo knowledge know that Mr. I father adopted a line of politic City directly opposite to tha Brook Watson?

A. I know that Mr. Dowler' in the City of London adop Whig principles, but whether a member of the Whig Club I know, nor do I now know exact Mr. Brook Watson's political ples were.

(*The* Chairman *then order* Jeremiah Donovan *to be* i *to the bar, when he was exam follows by* Mr. Perceval.)

Q. Do you know Mrs. Clarl

A. I do.

Q. Do you recollect at a furnishing her with a list of n persons for whom she was to from the Duke of York, mil other promotion?

A. Never.

Q. Have you not been in d of trafficking in places under ment?

A. I never have trafficked places under government in m

In no situations for India?
from government.
Appointments from govern-
A. Never.

MR. CAVENDISH BRADSHAW.)
Or from the East India Com-
appointments that must come
he cognizance of the Board of
ol?
will be obliged to the gentle-
he will inform me what ap-
ents those are.
Have you ever offered a situa-
India for a sum of money to a
Hara? A. I have.
What was the nature of that
n? A. A writership.
What was Mr. O'Hara to have
en for that situation?
Three thousand some odd
; but I cannot say exactly.
When was this?
believe the last year, but I do
ally recollect.
How did that negociation break

broke off in consequence of
Hara's brother not depositing
ney at the banker's which was
ted by the gentleman who had
osal of the appointment, or
rmed me that he had the dis-
the appointment.
Did not Mr. O'Hara offer to de-
e money in his own banker's
and did you not object to that,
sh it to be deposited in your
r hands, in Henrietta-street,
garden?
he money, Mr. O'Hara in-
me, was deposited in a bank-
se in the City, I believe it was
and Robarts; the person who
disposal of the appointment
not consent to its remaining
ut wished it should be deposit-
lessrs. Austen and Maunde's,
vent-garden, and in conse-
of that the negociation ceased.
at the request of a lady from
who sent a letter to me, saying
wished I would obtain for a
Hara whose *father was her par-*
iend, a writership to India;
I applied to a gentleman, and he told me he could obtain that appointment, and the negociation broke off in consequence of their not depositing the money at the house of Austen and Maunde.

(By MR. SETTLE.*)*

Q. What person authorized you to negociate this appointment in the East India Company's service?

(The witness hesitated to answer, on which he was directed to withdraw. On being again called in, the question was a second time proposed.)

A. Am I obliged to expose the name of the lady? if I am, I certainly shall.

Q. Was the lady the purchaser, or was it through the lady you were to obtain the appointment of some Director?

A. the lady wrote to me, requesting I would make inquiry in order to procure the writership for this gentleman; in consequence of this I did make the inquiry, but do not know any Director's name concerned in the business.

Q. Of whom did you expect to receive this patronage?

A. I was recommended by Messrs. Austen and Maunde, to a gentleman who promised to procure the patronage.

Q. Name the gentleman?

A. Mr. Tahourdin, an attorney, of Argyll-street.

Q. Do you know from Mr. Tahourdin's connections, from whom he was to obtain it at the India House?

A. I do not.

Q. Cannot you guess or surmise?

A. I cannot.

Q. Upon what grounds did you desire the three thousand and odd pounds to be lodged?

A. It was to have been lodged to be paid to Mr. Tahourdin, on the young gentleman's passing as a writer to India.

Q. Did Mr. Tahourdin ever give you reason to believe that he had the promise of that nomination?

A. If he had not, I certainly should not have requested the young gentleman to have lodged the money at the banker's.

Q. Did

(*By* Mr. Sheridan.)

Q. Did you introduce a clergyman of the name of O'Meara to Mrs. Clarke?

A. I have not the pleasure to know a clergyman of that name.

Q. Did you ever apply to Mrs. Clarke for the promotion of any person in the church?

A. In the month of November or December last, Mrs. Clarke informed me that she had very great influence; I heard of a vacancy in the church, and I did apply for it for a friend of mine.

Q What was that vacancy?

A. A Deanery.

Q. What Deanery?

A. I believe Salisbury.

Q. Did you apply only for that eanery or any other Deanery?

A. For either the Deanery of Salisbury or Hereford.

Q. This was either in November or December last?

A. It was.

Q. Being so intimate with Mrs. Clarke, of course you were apprized that at that time all connection had ceased between Mrs. Clarke and his Royal Highness the Duke of York?

A. I understood that his Royal Highness and Mrs. Clarke had had no connection for three years previous to that; it was not through the Duke of York's interest it was understood it could be obtained.

Q. Through whose interest was it understood that this was to be obtained, through the influence of Mrs. Clarke?

A. Mrs. Clarke informed me that she had very good interest with the Duke of Portland, and that she could obtain any appointment.

Q. Can you inform the Committee what was to be the recompence, supposing the Deanery had been obtained?

A. I cannot; I believe that it was 3000*l.* that was offered for one of them by a subscription; I did it to oblige a friend; there was a subscription to have been entered into by some ladies, *they did subscribe* upwards of 3000*l.*; *as I was instructed*, it was for the Rev. Mr. Bazeley, I think that was the name of the gentleman; he was to have been agreeably surprised with a promotion, provided it had been carried into effect, but he was on no account to know it. Mrs. Clarke answered, that the Duke of Portland had no interest in the church, the queen having taken the patronage to herself.

A. Have you had any correspondence with Mrs. Clarke since the commencement of the present examination?

A. I have received one letter from Mrs. Clarke since the commencement of this examination, or on the day, it was on Wednesday week I think; I have received two letters from Mrs. Clarke since the motion of Mr. Wardle, the one on the Saturday subsequent to the Friday night on which the motion was made, the other on the Wednesday, on which day I believe the hon. House went into the examination.

Q. Did you at any time give any credit to the idea of Mrs. Clarke having any degree of influence with the Duke of Portland?

A. I certainly did give credit to it in the first instance.

Q. Did you believe that Mrs. Clarke had such influence with the Duke of Portland as she had exercised with the Duke of York on other applications?

A. She never did make any application to the Duke of York for me in her life.

Q. Were not you privy to the whole transaction of Colonel French?

A. Nor never heard any thing of it, till the levy was about to be raised, til Colonel French called upon me to inform me that he was raising recruits for that levy, and asked me whether I could recommend him any old serjeants that he could employ upon that duty.

Q. Did Mrs. Clarke give any reason to you for the assertion she had made respecting her belief, as to any person's power of disposing of the patronage of the church?

A. Mr.

A. Mrs. Clarke informed me that the Duke of Portland had not the patronage of the church, but there were other appointments that she had mentioned to me, that caused me to suppose that the Duke of Portland had the appointments in the church to dispose of.

Q. Have you received two or three letters from Mrs. Clarke within this last month?

A. I have received letters from Mrs. Clarke, many during the months of November, December, and January.

Q. Have you the letters which you state yourself to have received from Mrs. Clarke, since Mr. Wardle's notice on the present investigation?

A. I have two letters, and the reason I brought them was in hopes that Mr. Wardle would do me the honour to read the letters of mine, which it was mentioned he had in his possession from Mrs. Clarke. I am perfectly willing to meet every charge that can criminate myself, but I should be sorry to involve any person that is innocent. I believe Mr. Wardle made his motion on the 27th of January.

[The witness delivered in two letters, which were read, dated the 28th of January, and the first of February 1809.]

"DEAR SIR,

"I am much mortified in seeing, in this day's paper, the free use of your name and mine in the debate last night. I however took an opportunity of seeing Mr. Wardle on the subject, and I find he is by no means so ill disposed as his speech seemed to evince; but he tells me, that as I have committed myself and my papers, he is determined to make every possible use of them, that to him seems proper. I must be candid, and tell you, that in order to facilitate some negociations, I had given him a few of your letters. In one you speak of the Queen, in another the two Deaneries. As to myself, I must of course speak the truth, as I shall be put on oath. Let me persuade you, if called on, to keep to the truth, as I am convinced you will; but I mean the *whole truth*, as to what has passed formerly between yourself and me.—I have a thousand thanks for your being so quiet upon the 130.; you shall have it the moment my Mother comes from Bath. I fear, if you are backward, Wardle will expose the whole of the letters he has to the House.

Your's truly,

"Saturday evening." *M. A. Clarke.*"

"In order to relieve your mind, I send my servant, though late."

Indorsed:

"Rec^{d} 28th Jany. 1809,
late at night."

"Wednesday Morning,
Feby 1st. 1809."

"DEAR SIR,

"I yesterday saw Mr. Wardle; he had a letter yesterday from your friend Glasse, begging him not to take any business in hand, where his name is mentioned; and he asks for you also. He was tutor to Wardle. Now Mr. Wardle assures me, by every thing honourable, that if you speak candidly and fairly to the fact of Tonyns, he will ask nothing more; and if he has been at all intemperate with your name, he will do it every justice. *Take my advice and do it*; it cannot injure you. I understand your friend Tuck,

some months ago put a friend of his in possession of Tonyn's business; and yesterday a man of the name of Finnerty gave him a case, which, he says, he had from you, of a Captain Trotter and another. Of course you will not mention my telling you this. I wish from my soul Mr. Wardle had taken it up less dispassionately, he might have done more good. Why do you not send me a line? I dare say Clavering is hugging himself, as he did not send the recommendation.

Your's, &c.

M. A. C."

(*By* MR. STURGES BOURNE.)

Q. What rank have you in the army? A. Lieutenant.

Q. How long have you been in the army?

A. I went into the army in the year 1778.

Q. In what regiment have you been?

A. In the Queen's Rangers.

Q. Are you now in the Queen's Rangers?

A. I entered into the army in the year 1778, in the Queen's Rangers: in consequence of my services in the Queen's Rangers I was recommended into the regiment called the North Carolina Volunteers, then under Colonel Hamilton; the hon. Major Cochrane, then Major to the British Legion commanded by Lieutenant-Colonel Tarleton, now General Tarleton, induced me to resign my company in the North Carolina Regiment, and to accept a Lieutenantcy in the British Legion under the command of Lieutenant-Colonel Tarleton, which I imprudently did under the promise of the first troop or company that should become vacant in that regiment. I served in that regiment during the remainder of the war, from the year 1780 till the reduction of the regiment in October 1783; I brought home a detachment of that regiment, and was placed upon half-pay; in consequence of my wound being very bad it was impossible for me to accept a commission upon full pay, many of which had been offered to me by Colonels of different regiments in consequence of those wounds I have suffered; I am sorry to say that my surgeon, who did attend, is gone, or he could explain my present sufferings, but I have suffered more than is conceivable for any person who looks well in health as I do, being lusty I have not been able to take off my clothes or lie down for the last five years; about six years from this period I was confined sixteen weeks under the care of Mr. Everard Home, Mr. M'Gregor of the Military Asylum, and Mr. Rivers of Spring Gardens, Mr. Astley Cooper also attended me, and I am now obliged to employ a surgeon, that is Mr. Carpue, either he or his assistant dresses my wound daily: in consequence of the recommendations of the hon. the late Marquis Cornwallis and Lord Moira, I was placed in a Veteran Battalion, as a compensation in some degree for my expences as well as my sufferings from this wound, and through the same interest I obtained leave of absence till further orders; there are many other officers under similar circumstances in the army, it being the only means by which his Royal Highness the Commander in Chief can remunerate their services, at least that was the answer given by the Adjutant-General to Lieutenant-Colonel Christie of the 11th Veteran Battalion (on the strength of which I at present draw my pay) when he applied last year to have me removed upon the retired list: with respect to my provincial services, I presume they go for nothing; I served fifteen months in a Fencible Regiment at home as Lieutenant and Surgeon; I served three years in the Militia as Lieutenant and Surgeon, and I served three years as a Surgeon in an armed

vessel

vessel appointed by the Treasury, and I trust it will not be thought too much that I draw the pay of a Lieutenant.

(*By* Mr. Wardle.)

Q. You have stated that you never sent in any names to Mrs. Clarke, either for promotion or commissions in the army?

A. Not till November or December last did I ever apply to Mrs. Clarke for any commissions in the army, either directly or indirectly.

Q. Do you recollect what commissions you applied for then to Mrs. Clarke?

A. I do not; there were some Companies, but for whom I do not recollect.

Q. Do you recollect what you asked Mrs. Clarke to do respecting those companies?

A. I perfectly recollect that Mrs. Clarke informed me that she had interest with a great many gentlemen, hon. members of this House; that she had also great connections amongst general officers, and that she could procure letters of recommendation which might accelerate any applications that were lying before the Duke of York for purchases of commissions.

Q. Did you send any letters of recommendation from the commanding officers of regiments in favour of officers for promotions to Mrs. Clarke?

Q. I sent three letters, I think, from three different field officers, recommending gentlemen for purchase from lieutenants to companies. Those gentlemen had been recommended, if I mistake not, about twelve months, but their recommendations had not been attended to, to accelerate which it was thought adviseable to procure the recommendations I have already stated, and Mrs. Clarke informing me she could do it, I placed these recommendations in her hands for that purpose.

Q. Inform the Committee how you got possession of those letters yourself.

A. I will; I got possession of those letters from Mr. Froome, under the following circumstances: Mr. Froome called upon me, and informed me that he was about to resume his station or to be appointed a clerk in the house of Mr. Greenwood, upon condition that he should make oath or give security, one or the other, that he would never do any thing in the commission line as a broker in future; that if I could do any thing with those three appointments which had hung so long, I should serve very deserving young men, and should be remunerated for my trouble: that is the fact, however it may criminate me.

Q. State what the remuneration was to have been upon each of those commissions?

A. It was above 300*l.* but how much I cannot say.

Q. Do you mean to state that above 300*l.* were to have been paid above the regulation price for carrying the point?

A. Certainly, on each commission.

Q. Do you know of your own knowledge, through what means that 300*l.* upon each was procured?

A. I do not.

Q. Only you mean to state that the officer purchasing was to have paid 300*l.* above the regulation?

A. I mean to state that both of those officers purchasing, on being gazetted, was to make the compliment of 300*l.*

Q. And it was Mr. Froome who put the three commissions into your hands?

A. Yes, he did, under the circumstances I have already related.

Q. Had you ever any conversation with any body but Mr. Froome respecting these commissions?

A. I had conversations of course with Mrs. Clarke; I had conversations with Mr. Glasse.

Q. Who is Mr. Glasse?

A. The Reverend George Henry Glasse.

Q. Had you never a conversation with any other person respecting those appointments?

A. I do not recollect that I had any conversation with any person, save and except Mr. Glasse, Mrs. Clarke, and Mr. Froome; I do not recollect any other person.

Q. Do

Q. Do you recollect any other transactions of that nature coming under your knowledge?

A. There was a majority I think, or two, under similar circumstances.

Q. Do you recollect what sum above the regulation was to have been paid on the majority?

A. I do not.

Q. Do you recollect any other commissions that fell under the same circumstances?

A. I do not recollect any other commission but the two majorities, and those three companies.

Q. Did those majorities come from Mr. Froome also? A. They did.

Q. Did not Mr. Froome at that time tell you what remuneration was to be given?

A. It is very possible that he might, but I do not recollect the remuneration.

Q. Do you know what your share of the profit was to be?

A. I do not.

Q. What part of the transaction were you to act?

A. He was to procure the letters from Mrs. Clarke; to attach them to those recommendations and memorials, and to put them into the box at the Horse Guards, and to let them take their chance; and if they succeeded, then we were to be remunerated.

Q. Therefore, the part Mrs. Clarke was to have acted, was either to have got the recommendation backed by a member of Parliament, or some other person likely to give strength to such recommendation?

A. That was the part.

Q. What was she to have had for that part?

A. She was to have had, I believe, upon each of the majorities 500*l.* as nearly as I can recollect.

Q. What was she to have had for the companies?

A. I forget exactly; but it was either 100*l.* or more than 100*l.*

Q. Do you know Captain Tuck?

A. I do.

Q. Do you recollect in the year 1804 or 1805, offering Captain Tuck a *majority at a very low price*?

A. I remember that in the year 1804 or 1805, Messrs. Austen and Maunde told me, that they expected to be appointed agents to a regiment that was to be raised by a Colonel Dillon; that commissions were to be obtained in that regiment, or some other, and that there were many other levies to be raised; and that the prices in that regiment were to be for an ensigncy so much; for a lieutenantcy so much; a company so much; and I believe that was the whole of the steps. The Colonel had the appointments; where they were either to raise so many men for their commissions, or pay a certain sum of money to the Colonel. I met Captain Tuck either in Parliament-street or Whitehall; he had been employed by the honourable Colonel Hanger to raise a levy, and by that had obtained the rank of captain, and was then upon half-pay. I told him, if he wished to get the step of majority, I thought if he would raise the men, or pay a sum of money, he might get a majority. I never thought any more of it, till I met Captain Tuck in the room this evening.

Q. Do you not recollect naming any other person as a party in this transaction, respecting the commissions that were sent in to Mrs. Clarke?

A. I do not recollect, but there may be some other persons; I do not conceive any other persons could have been mentioned.

Q. Will you name any other person that you can recollect?

A. I do not recollect any other persons, or I would name them.

Q. Did you mention the name of Mr. Greenwood?

A. I never mentioned the name of Mr. Greenwood in the transaction at all, further than Mr. Froome was obliged either to make an affidavit, or give security to Mr. Greenwood, that he would not act as a broker in future, or he would lose his situation.

Q. Who is Dr. Glasse, or Mr. Glasse, whom you have mentioned

in the course of your examination, and who is mentioned in one of the letters?

A. The Rev. Geo. Henry Glasse, of Hanwell.

Q. How long have you known Mr. Glasse?

A. I have known him for some years, but cannot exactly say how long.

Q. Has Mr. Glasse ever made any application to you relative to church or other preferment?

A. Never in my life.

Q. Or you to him?

A. I have not; I, of my own accord, very imprudently promised to Mrs. Clarke, that if she could procure the Deanery of Hereford for Mr. Glasse, I should be extremely happy that she should do so; but I never told Mr. Glasse of it till I think last Saturday was se'ennight, or Monday was se'nnight, and then Mr. Glasse was exceedingly enraged that I should have taken the liberty with his name.

Q. What induced you to make that application?

A. The very great friendship I had for Mr. Glasse, and not conceiving that I was doing that which was improper at the time, or I would not have done it.

Q. Did you offer a thousand pounds? A. I did.

Q. And did it without Mr. Glasse's knowledge?

A. Yes, without his knowledge, upon my sacred honour, and he never knew of it until the other day.

Q. You have stated that you would not have made this offer if you had been aware that the transaction had been improper; did you conceive the other transactions, which you have stated to the Committee you had in hand, to be proper transactions?

A. I knew that these transactions pass daily, and therefore, I thought that there was nothing so very heinous in the crime; but I certainly did not conceive it altogether proper.

Q. How did you know such transactions pass daily?

A. I had heard that such transactions passed.

Q. Do you know, of your own knowledge, that such transactions pass daily?

A. I never was concerned in any transaction of that kind, save and except the business of Captain Tonyn, which I should be happy to explain; I believe I had also the introduction of Major Shaw.

Q. Do you recal to your mind the recollection of any other transactions of this kind.

A. I do not.

Q. You stated at the commencement of your examination, that you were not a trafficker in places under government; do you abide by that statement now?

A. If you will permit me to explain the business of Captain Tonyn, I shall be obliged; but further than those I have mentioned, I have never trafficked in any places under government; if I had I would not deny it.

Q. Have any of those other negociations you have mentioned to the Committee, been carried into effect?

A. Not one through me.

Q. Do you know whether those negociations about the companies and the majorities were carried into effect or not?

A. Not one of them.

Q. Were you to receive any remuneration, supposing the negociation had been effected?

A. Certainly.

Q. Do you not call that trafficking in places under government?

A. I will leave it for you, gentlemen, to decide; I did not consider it so.

Q. Are those the only transactions of the kind, in which you ever in your life have been concerned?

A. I believe they are.

Q. Be sure whether they are or not?

A. I cannot be sure, because I do not recollect any other; if I did, or

you

you will do me the favour to point out any others, I will not deny them.

Q. How long have you known Mrs. Clarke?

A. I knew Mrs. Clarke, I believe, in the year 1805.

Q. Have you kept up your acquaintance with Mrs. Clarke from that time to the present day?

A. I had not seen Mrs. Clarke till November last, for nearly three years; more than two years however.

Q. You had not seen Mrs. Clarke till November last, since her separation from the Duke of York.

A. Yes.

Q. Were you in the habit of seeing her when she was connected with the Duke of York?

A. I saw her, I believe, two or three times, and that only when she was connected with the Duke of York, or at least when she lived in Gloucester-place.

Q. Did you see her only two or three times in the course of your lifetime, before the month of November last?

A. I presume, in the course of my lifetime, that I may have seen her half a dozen times before November last, for she lived in Burlington-street, at a Mr. Russel Manners's, and I saw her there twice.

Q. At what period was that?

A. That I suppose must have been in the year 1806, or the latter end of 1805; it was after she was separated from the Duke of York, or left Gloucester-place.

Q. How did your acquaintance with Mrs. Clarke begin?

A. My acquaintance with Mrs. Clarke commenced in consequence of a report which had been circulated that I was the author of some scurrilous paragraphs reflecting on his Royal Highness the Duke of York; I traced it to Captain Sutton, an acquaintance of Mrs. Clarke's; I endeavoured to trace them out, but in vain. I requested that I might be *introduced to Mrs. Clarke to vindicate myself; I never had written a* paragraph against any one Royal Family in my life, an was what introduced me t Clarke's acquaintance.

Q. You have stated that whil Clarke resided in Gloucester you saw her three or four t did you call upon her in Glou place?

A. I called upon her three c times, it was at the house I sa

Q. Did you go of your o cord?

A. I went of my own accor ing obtained permission to se I was three or four months b could obtain permission to see I strong was the impression agai as being the author of those graphs, that Mrs. Clarke wou see me, nor hear my name.

Q. How often did you se Clarke when you called at Gl ter-place?

A. I believe three different

Q. When you saw Mrs. C did you go of your own acco did she desire you to come?

A. She never desired me to that I know of, further than o ticular period, which was in o inquire the description of C Tonyn.

Q. When you went of you accord, with what view did yo

A. In order to do away the that I had been the author of paragraphs against His Royal ness the Duke of York.

Q. All the times that you you went with that view?

A. Twice only, I believe; ver was at Mrs. Clarke's above times in my life in Gloucester-

Q. You have stated that you there frequently before you cou Mrs. Clarke, and that you the ed three different times, an Mrs. Clarke?

A. I did not mention that called often at Mrs. Clarke's have not seen her.

Q. Did you do away the i

sions entertained against you at your first interview with Mrs. Clarke?

A. Not altogether.

Q. How many interviews were necessary to do away entirely those impressions? A. Two.

Q. Did you entirely do away those impressions in two interviews.

A. I believe I did.

Q. With what view did you call upon Mrs. Clarke the third time you saw her?

A. In order to procure the insertion of some letters in the Morning Post.

Q. What was the subject of those letters?

A. The subject of those letters was answers to the letters of Belisarius.

Q. Why was it necessary for you to go to Mrs. Clarke, to procure the insertion of those letters?

A. Because Mrs. Clarke had asked it as a favour of me.

Q. To do what?

A. To get those letters inserted in the Morning Post.

Q. Do you mean to say that you carried those letters to Mrs. Clarke, because Mrs. Clarke had desired you to insert them in the Morning Post?

A. I did not carry them to Mrs. Clarke; I received them from Mrs. Clarke.

Q. Then the third time you went to Gloucester place, you went to get those letters?

A. I did.

Q. Did you go then of your own accord, or by the desire of Mrs. Clarke?

A. At the desire of Mrs. Clarke, I believe so; it is really so long since, that I cannot say whether I volunteered my services to go that day for those letters, or whether she had appointed that day for me to call for those letters; I did call for those letters, and got them inserted in the Morning Post.

Q. You have stated that though you did not traffic in commissions, you have had a hand in procuring commissions at different times; had you any dealings of that sort with Mrs. Clarke or others, at the *time Mrs. Clarke lived*

under the protection of the Duke of York?

A. I never had any transaction with Mrs. Clarke as to any commission, either direct or indirect, till this in November, of three companies and two majorities.

Q. In November last, did you know that Mrs. Clarke was no longer connected with the Commander in Chief?

A. Mrs. Clarke informed me that she had been long at variance with the Commander in Chief, and never should be connected with him again.

Q. How came you, having that knowledge, to apply to Mrs. Clarke for her interest for promotions?

A. Not with any view to her interest with His Royal Highness, but Mrs. Clarke had told me that she had great interest with Members of Parliament and General Officers, that she could procure recommendations of the different colonels of the regiments to which those gentlemen belonged.

Q. Were the transactions of which you have spoken, the only transactions of the kind in which you have ever been concerned?

A. I have answered that question repeatedly.

Q. Have you ever carried on any negociations respecting writerships to India, besides that which has been already mentioned. A. I have.

Q. How many? A. One.

Q. In behalf of whom?

A. I cannot charge my memory who the young gentleman was.

Q. At what time? A. Last year.

Q. The year 1808?

A. I believe it was; and it was the writership that Mr. O'Hara refused; that same writership.

Q. Did you succeed in that negociation? A. I did.

Q. What money was paid in consequence of that?

A. I do not recollect; but I believe it was 5,500*l.*

Q. What did you receive in consequence of your exertions in that negociation? A. 250*l.*

Q. From whom did you receive that money?

A. From Mr. Tahourdin.

Q. To whom was the other sum of three thousand and odd pounds paid?

A. To Mr. Tahourdin, I presume, but I was not present at the receipt of the money.

Q. Do you now recollect on behalf of whom that negociation was carried into effect?

A. No, I do not; but I could trace it, no doubt.

Q. With whom did you treat for it?

A. I do not know the name of the gentleman with whom I treated for it; I did not expect to be called upon, and did not charge my memory. The gentleman was a stranger at the time.

Q. Have you, or not, been concerned in any other transactions of this kind?

A. I do not recollect any other.

Q. Are you certain that you have not been concerned in any transactions of this kind?

A. I am not certain; but I do not recollect any other. I do not believe I have.

Q. Are you certain that you have not been concerned in any transactions of this kind?

A. I could almost say I am; but I will not.

Q. Have you ever had any part in negociating a cadetship?

A. I do not recollect any cadetship that I ever have.

Q. If you are not in the habit of concerning yourself in matters of this sort, it is very extraordinary that you should not recollect: try to recollect whether you have had any concern in negociating for cadetships?

A. I do not recollect; I may have applied, but I do not recollect passing any cadet.

Q. Do you make a habit of dealing in things of this nature?

A. I have made no further habit of it than that which I have already *stated.*

Q. Have you ever had any cern in a negociation for procur situation in the Custom-House i

A. Mrs. Clarke informed m she had interest through whic could appoint a Collector of the toms, and several others. I tioned it to a gentleman, not v view to bring it to my own in at all.

Q. When was this?

A. In November or Dece Mr. Wardle can inform you.

Q. You have stated that you cluded a negociation through Tahourdin for a writership to I endeavour to recollect the na the young gentleman that wa pointed?

A. I cannot, for I do not that I ever knew him.

Q. Cannot you, when you to your office, find out the nam bring it to this Committee?

A. I have no office.

Q. Cannot you when you r home to your own house, loo your books and find the name o young man?

A. I cannot, for I keep no bo I am not confident that I ever the name of the young gentlem

Q. Have you no memorandu slip of paper?

A. I have none by which trace it.

Q. Cannot you ascertain by Director the young man wa pointed?

A. I cannot, for I never kne

Q. Do you know that any I tor, who takes money for an app ment of this nature, breaks his o oath which he takes when he into the service of the East Company?

A. I presume a Director ma pose of his card for a writershi a cadetcy, and it may be sold the Directors know nothing, a ceive no emolument, confiding gentleman that he would not s of doing so.

Q. In what year was this?

A. It was, I believe, last year.

Q. To what Presidency was it?

A. I do not know.

Q. You have said that you once made an application to Mrs. Clarke, in favour of Mr. Glasse, without the knowledge or privity of Mr. Glasse; if the application in favour of Mr. Glasse had succeeded, by whom was the money to have been given for it?

A. By me.

Q. Did you mean to pay it yourself out of friendship for Mr. Glasse, without any hope of remuneration from him?

A. I did, by the commissions which were to have been disposed of. I intended Mrs. Clarke should retain as much out of those commissions as would have paid for that situation, provided it could have been obtained.

Q. You meant to make a present to Mr. Glasse, to the full amount of the remuneration you were to give to Mrs. Clarke for procuring him some Deanery, or whatever the church preferment was? A. I did.

Q. Which of the applications was the first, in point of time, for the preferment in the church, or for the preferment in the army?

A. The preferment in the army, I believe, took place in November; some other situations and arrangements Mrs. Clarke had made were previous to that.

Q. Which preceded, in point of time, the application for the captaincies and the majorities, or for Mr. Glasse?

A. I believe that the situations Mrs. Clarke pointed out in the West Indies, and the situation that she pointed out at home, one was in the Commissariat, I believe, which she said she could obtain; and the other was that of Landing Waiter. Those were the situations she first promised, which she said the Duke of Portland was to have given to her. Out of those commissions it was that she was to have been paid.

Q. Is the Committee to understand that those commissions, of which you have now been talking, are fresh commissions, the advantage derived from which was to repay the 1000*l.* to be paid for the deanery of Mr. Glasse; or is the Committee to understand that the advantage proceeding from the captaincy, and the majority before mentioned were to pay it?

A. From the Commissariat appointment and the Landing Waiter; not from the captaincy and majority.

Q. Then this Landing Waiter and Commissariat are new appointments?

A. They are new transactions.

Q. Not before stated to the Committee?

A. I forgot to state them to the Committee.

Q. At the outset of your examination, you stated, that you never had trafficked, directly or indirectly, for any places under government of any description.

A. I never carried any into effect.

Q. The words "carried into effect" were not put in; you have now enumerated not less than nine situations for which you have carried on negociations: you also stated, that you thought the crime was not so heinous, because you knew the practice to be daily taking place: what practices do you allude to which you knew were daily taking place?

A. The disposal of commissions, I believe, has been generally reported to have taken place; but I know not any which took place which I had no connection or concern with whatever.

Q. Do you know of any transaction so taking place, in which you had or had not concern?

A. I have heard of things, but do not know of any.

Q. You do not know, in any way, of such transactions having taken place?

A. I have heard of such transactions.

Q. Do you know of such transactions?

A The transaction of Captain Tonyn I beg leave to mention here; I must allude to that and Major Shaw: I did not understand how either of those were carried into effect till last November; I never knew that Mrs. Clarke was concerned in Major Shaw's business till last November; Captain Tonyn was gazetted in 1804, and Mrs. Clarke, in 1806 I understood was the person who had obtained that promotion for Major Tonyn.

Q. Independently of that case of Major Tonyn, there is a case of Major Shaw's, of which you have heard?

A. I heard last November only.

Q. Do you know of any other besides Major Shaw and Captain Tonyn?

A. I do not recollect any other.

Q. Are you sure you do not know of any other?

A. I do not recollect any other.

Q. Do you, or do you not know of any other?

A. I do not know of any other that I recollect; nor do I believe that I recollect any other.

Q. Do you not know of some others?

A. I know of no others to the best of my knowledge; if I did, I would mention it, but I do not; I believe I know of no other whatever.

Q. You have said positively you know of no other? A. I believe not.

Q. You have said once positively you knew of no other; do you say positively whether you knew of no other?

A. Do you mean to say I have been concerned with others.

Q. Have you been concerned in any other?

A. Not at all.

Q. Do you not know of any other?

A. I do not, to the best of my knowledge; it is impossible for me to charge my memory: I have told you every thing to the best of my knowledge and belief.

Q. When you were asked concerning certain Custom-house appointments, you said that Colonel Wardle, an honourable member of this House, could tell about them; what can you say of Colonel Wardle's knowledge of those appointments?

A. I must refer to Mrs. Clarke for that.

Q. What has Mrs. Clarke told you relative to that?

A. That she could procure recommendations from great people, and she mentioned the name of Mr. Wardle also, not as the person that would recommend, but as the person who knew others that she should make acquainted with the circumstance.

Q. What other persons, besides Colonel Wardle, did she mention as knowing of these matters?

A. Not as knowing, for she told me, she should tell Colonel Wardle.

Q. You said Colonel Wardle amongst others, who were the others?

A. She mentioned that she should acquaint Colonel Wardle, or mentioned his name upon the business.

Q. Who was the person with whom you negociated in the last transaction to which you have alluded, with respect to the writership?

A. Mr. Tahourdin.

Q. You stated that it was through him the money was paid, was he the only person with whom you negociated?

A. He was the person who procured the appointment, but from whom I cannot say.

Q. Was he the only person with whom you negociated, or had any concern or dealing in this transaction?

A. The gentleman who obtained the introduction for his young friend, of course I negociated with also, as I introduced them together; Mr. Tahourdin and that gentleman, I really cannot tell the gentleman's name, for I do not recollect it; but I dare say Mr. Tahourdin would furnish me with his name.

Q. State to the Committee whether you first applied to Mr. Tahourdin, or Mr. Tahourdin to you?

A. I did not apply to Mr. Tahourdin;

din; he was recommended to me in consequence of a letter I had from a lady in Dublin, to procure a writership for a Mr. O'Hara.

Q. Who recommended Mr. Tahourdin to you?

A. Messrs. Austen and Maunde recommended him to me.

Q. Do you know whether that writership was the subject of any advertisement in the Newspapers?

A. Not at all that I know of.

Q. Not being a trafficker in places, but yet having a certain tendency to negociate them, and to take a pecuniary advantage by them, how came you not to apply to Mrs. Clarke while she had an acquaintance with his Royal Highness, but to apply after that had ceased; and when her connection with the Duke of Portland and members of this House was a little more distant?

A. I have already explained that business; it was merely the effect of chance; Mrs. Clarke sent for me, and proposed the business to me; it was not the effect of my application.

Q. At what number in Argyle-street does Mr. Tahourdin live?

A. I do not know, but his name is upon the door.

Q. Did Mr. Tahourdin receive the nomination of the writership immediately from the Director, or through the medium of a third person?

A. I never asked Mr. Tahourdin from whom he procured it, or how he procured it.

Q Is the lady who applied to you on behalf of Mr. O'Hara, an acquaintance of your's?

A. She is.

Q. You have stated, that you saw nothing of Mrs. Clarke from the middle of the year 1806, till last November; was that interruption in your intercourse occasioned by any difference that you had together?

A. Not the least.

Q. What was it owing to?

A. Because I had no acquaintance with Mrs. Clarke further than I have already stated; I never saw her more than four times previous to her separation from his Royal Highness the Duke of York.

[*The witness was directed to withdraw; the Chairman was directed to report progress, and ask leave to sit again.*]

FIFTH

FIFTH DAY.

FRIDAY, FEBRUARY 10th.

UPON the motion of Mr. WARDLE, the House resolved itself into a Committee of the whole House to consider further of the conduct of his Royal Highness the Duke of York; Mr. Wharton in the chair.

MR. WARDLE, previous to proceeding to the investigation, conceived it requisite to allude to one or two circumstances with reference to the past. The first referred to the letter produced last night from Mrs. Clarke to Mr. Donovan, relative to Captain Tuck, and in which the name of Mr. Finnerty was introduced. He had before stated to the House, that he had never held any communication whatever with the latter gentleman, but twice; and he had now to repeat, that he had never received any information whatever from him relative to Captain Tuck. Having said this, he could not but feel it most unpleasant, where he was conscious that he was actuated by the purest motives in the conduct he was pursuing, that he was still to hear insinuations repeated against him; and he ardently wished Mr. Finnerty might be called to the bar of that House, and examined on the subject. At the same time he could not but remark upon certain observations made on a former night by a right hon. friend of his (Mr. Sheridan), who, though he expressed his conviction that his motives were pure, yet had thought proper to arraign his conduct in keeping bad company, and suffering himself to be the dupe of a conspiracy. He assured that gentlemen he kept no company he need be ashamed of, or was afraid to avow. He therefore did not believe he meant to the extent of what his expressions seemed to imply; still less did he believe he had intended to give him up, as he had been, to the lash of a Ministerial Print. If the right hon. gentleman would be so good as to name the persons to whom he alluded, he would cheerfully give him every information in his power on the subject, and help to bring them forward if found deserving of it. The next subject to which he wished to advert, related to a witness (Miss Taylor) who had been examined last night; he had inquired concerning her, and had found her character to be respectable. She was the daughter of a gentleman, and had two brothers in the army, and one in the navy. When he spoke to her on the necessity of giving her testimony, she declared, if it must be so, she would speak the truth, but at the same time it would be her utter ruin.

MR.

Mr. Lockhart spoke to order. He conceived it to be wholly irregular to be making comments on the evidence, which should be reserved for a future opportunity.

Mr. Wardle seemed to be about to resume his observations, when he was again called to order by Mr. Perceval, who suggested the impropriety of discussing the merits of each witness singly, instead of reserving his observations till the whole of the evidence had been gone through.

Mr. Sheridan conceived, that however the latter part of what the hon. gentleman had said might not be strictly regular, yet the former part was clearly right, as he was only rescuing himself from imputations which he had conceived had been cast upon him, and he had an undoubted right to call Mr. Finnerty, or any one else he pleased for the purpose of clearing his character.

Mr. Wardle assured the right hon. gentleman, he had never received the note from him to which he had alluded on a former night. He had, however, brought in his pocket the letters from Mr. Donovan to Mrs. Clarke, so often alluded to, which he had obtained from that lady, and which he wished to have submitted to that House.

Mr. Sheridan claimed the indulgence of the House in reply to some of the observations of the hon. gentleman. He trusted they would give him credit when he asserted that there was no man less in the habits, on the one hand, of making insinuations, or on the other of retracting any thing he had said; and he assured the hon. gentleman he had not used the word conspiracy in his observations. It was certainly true, that from his friendship for him, from the many happy hours they had spent together in their more youthful days, he had sent the note alluded to; but he had found upon inquiry that it had never been delivered. With regard to the effect produced by his conduct, he had found it was felt by the House, when he attempted to delay going into his proofs, after bringing forward his charges. What he had said upon that occasion was only the truth, that in their transactions, Captain Huxley Sandon and Colonel French were one and the same; and that Colonel French was not at all necessary to support the charge; and the evidence proved him to be right in the assertion. It was certainly a disagreeable situation to be called on to point out objectionable characters, but after it appeared that he had supped in company with Mr. M'Cullum, he should not be surprised at his being suspected of having bad advisers; he had indeed advised him not to seem to make a run, as it were, at so distinguished a character, but rather, by treading cautiously, to be sure of the ground over which he moved. For his own part, he declared he would conduct himself throughout the inquiry with the utmost impartiality, without favour or affection, however exalted the rank of the parties might be.

Sir Arthur Wellesly bore testimony to the claims of Captain Tuck to promotion, from the length and variety of his past services.

(Mr.

(Mr. Wardle *was then examined as follows:*)

Q. Are those the letters Mrs. Clarke alludes to in her letter to Mr. Donavan, in which she says, "I must be candid and tell you, that in order to facilitate some negociation, I have given him a few of your letters?"

A. Those are part of the letters I had from Mrs. Clarke.

Q. Are those the letters to which this letter of Mrs. Clarke alludes?

A. It is impossible I can answer that.

Q. Are those all the letters of Mr. Donovan's you received from Mrs. Clarke?

A. To the best of my recollection, all, except some letters of Mr. Donovan's that apply to the commissions that I examined about last night, to be backed by a Member of Parliament.

Q. Did you obtain the letters of Mr. Donavan all at once fro Clarke, or at different times

A. At different times; the I have now given in, I obta the way I before stated to the

Q. These are part of those you took away without her co

A. That I took away, as I stated.

Q. Was it with her cons against her consent, that yo away those letters?

A. I have before stated took them, I took them from ble; she said I must not tak or must not use them, or son to that effect.

(Mr. Jeremiah Donovan *was in and examined.*)

Q. State whether those le the hands of the clerk are you writing?

A. They are..

[*The witness was directed t draw.*]

[The Letters were then read, and were as follows:]

"Charles-street, St. James's-s

"Dear Madam, October 8th, 1808.

"The Deanery of Hereford is vacant, and in the sole gift Duke of Portland; can you procure it for the Rev. G. H. Glas would myself, unknown to him, give 1000*l.* for it. It must b by next Saturday at least, so a gentleman, who has just given information, said. Mr. G. is my most particular friend, and I make great sacrifices to serve him; he is not in town at prese can with confidence assure you he is a very good scholar, a good fortune, and an *extraordinary* kind *friend*, of excellent c tions, well known to the Dukes of Cumberland and Cambridg is rector of Hanwell, Middlesex. His town house No. 10, Sac street.

"The money will be deposited on Wednesday next, for the ing-Waiter's place.

"An Inspector of the Customs, whose duty is rowing in about the river, visiting and placing officers on board different s about to be superannuated; the salary is 400*l.* per annum; I am to for the appointment, on the resignation taking place: 10 offered for it.

Yours very truly,

"Mrs. Clarke." J. Donova

"C

" Charles-street, St. James's-square,
" Dear Madam, October 20th, 1808.

" Some friends of the Rev. T, Baseley, M. A. are extremely desirous of procuring for him promotion in the church; and it appears to them a very favourable opportunity, the vacancy of the Deanery of Salisbury, to make application to the Duke of Portland; and in order to secure an interest without his knowledge, a party of Ladies, at the head of whom is Lady Cardigan, have subscribed a sum of money, 3000 guineas, which is ready to be deposited to carry into execution their intended plan.

" Mr. Baseley is well known to his Grace, and was particularly recommended to Her Majesty by Lady Cardigan, on the publication of his pamphlet, ' The Claims of the Roman Catholics constitutionally considered, &c. &c.' This chaplain to the Duke of Gloucester, and the Bishop of Lincoln, went *with His Grace* upon some occasion to serve the Marquis of Titchfield; would be very strongly recommended by many persons of fashion, the Bishops of Norwich and Salisbury. I have a letter from each to Mr. Baseley in my possession, which would shew the estimation in which he is held by them. The Ladies are very anxious, and at the same time desirous that he should not know through what channel the money is raised, much less the application, nor do they wish to know any thing further than that he shall succeed, and then to agreeably surprise him; or rather that his Grace, without any preface, should have the whole merit of having selected so worthy a man to fill the vacancy. Your answer will oblige, your's very truly,

J. Donovan".

" Lord M. and Mrs. J». are in town."

" Charles-street, St. James's-Square,
" Dear Madam, Nov. 16th, 1808.

" The place of Inspector of the Customs is now vacant by the death of Mr. Booty, and I learn that the Queen and the Duke of Dorset are about to apply for it. I hope you will procure it for Mr. Henry Tobin, the gentleman you were so good to say you would serve when an opportunity offered. I will do myself the pleasure of waiting on you whenever you will appoint on the subject. Can you procure the Paymastership to a second battalion for 500*l.*?

Your's very truly,

" Mrs. Clarke." J. Donovan."

" Dear Madam, " Dec. 14, 1808.

" I regret much that I had not the pleasure to see you on Saturday evening. It was the only time I had been out since Tuesday, and I have suffered considerably in consequence, from my wound.

" I am daily applied to for the particulars of the appointment at Savannah La Marr. Is it a Surveyor of Customs and Landing Waiter? Is the salary 1300*l.* per annum, or how much is the salary, and from what do the perquisites arise? Is the 1900*l.* sterling, or

Jamaica currency? What is the duty? Can you procure the Landing-Waiter's place in January next?

"The Paymaster second battalion?

"Relative to the *letters*. I am in part ready, and wish to consult with you relative to them. I shall be at home this evening, and, if able to bear the motion of a carriage, dine in your neighbourhood to-morrow.

I remain, dear Madam,
Yours very truly,
"Mrs. Clarke." J: DONOVAN."

"Charles-street, St. James's-square,
"Dear Madam, Dec. 25d. 1808.

"I am daily plagued about the Savannah La Marr appointment; also respecting the Landing Waiter's, the second battalion Paymastership, and the Commissaryship. Pray let me hear from, or see you, on the subject of the Savannah business particularly.

"Mrs. Howes requested me to thank you in her name for your kindness, and have got into disgrace for not having done so sooner, and for not letting her know when you called last.

Yours very truly,
"Mrs. H. sends her compliments." J. DONOVAN."
"Mrs. Clarke."

The ATTORNEY GENERAL then stated, that he had just received a letter from General Clavering, mentioning, that as Mrs. Clarke had alluded to his name in her testimony, he was desirous of being examined at the bar as to the reason of his calling at her house, and that his statement would tend to invalidate her veracity. He therefore proposed that General Clavering should be called, if such were the pleasure of the Committee.

Some discussion took place on this point, his evidence being objected to in the present stage of the proceedings.

The SPEAKER stated, that he knew not upon what ground that letter could be read as evidence, but it might be a sufficient ground to admit the testimony of a witness wishing to be examined on the subject.

General Clavering was then called, but he was not found in attendance.

The Committee then proceeded to the examination of a former witness, whom Mr. Wardle stated was desirous of making some alteration in his evidence; that witness was Mr. Pearson, late butler to Mrs. Clarke.

(By MR. WARDLE.)

Q. Do you recollect the period at which his Royal Highness the Commander in Chief and Mrs. Clarke left London, in the summer of 1805?

This examination was objected to by MR. PERCEVAL and MR. *YORKE*, who urged, that if the purpose of recalling this witness *was to rectify* his evidence, he ought to hear his former testimony read

read over. This proposal was agreed to, and the witness was recalled.

([David Pierson *examined by the Chairman.*)

[The evidence given by the witness on the 7th instant, being read.]

Q. Is there any part of that evidence, on which you wish to make any observation or alteration, or any addition?

A. No alteration. On the night that the Duke of York went to Weymouth, about eleven o'block at night. I was sent out to get a bill changed: I went out, and got it changed, and brought it in, and returned it to Mrs. Clarke; she looked it over, and said it was all right. The Duke of York was present when I gave the bill to Mrs. Clarke, and received it from Mrs. Clarke.

(*By* Mr. Sturges Bourne.)

Q. With whom have you had any conversation, respecting the evidence you gave when you were here last?

A. Not any body.

Q. Have you spoken with nobody about it?

A. With nobody; I have not spoken to any one about it.

Q. Have you seen Mrs. Clarke, since you gave your evidence here last?—A. No, I have not.

Q. Did you see Mrs. Clarke, when you retired from the bar on the former day!

A. I saw her, but I did not speak to her.

Q. Did she speak to you?

A. She just bowed her head, and said, "Pierson;" I said, "I have been examined, Ma'am."

Q. Did she say any thing else to you?—A. Not any thing.

Q. Are you positive that no other person has spoken to you on the subject of the evidence you gave here, or you to them?

A. I met Ludowick in the Park, and he asked me; he said that I might be mistaken, yet he could not recollect any thing about it.

Q. Was that all that passed between you and Lodowick?

A. It was all that passed between him and me, except he said that I must make a mistake; that there was a bill brought down one morning in his presence, of 10*l.* by Mrs. Favourite, and given to a girl to go out and get change; and he thought I must have made a mistake about that bill.

Q. Did not you make a communication to Mr. Wardle, or speak to him, to say that you wished to alter your evidence?

A. I called upon Mr. Wardle, and told Mr. Wardle about the bill that I received from Mrs. Clarke, and went and got change for, and returned that night, in the presence of the Duke of York; I told Mr. Wardle that I had done that.

Q. What was the amount of the bill you got change for?

A. I think 100*l.* but I am not certain.

Q. Do you adhere to your former statement, that you had spoken to no person on this subject since you were examined in this House?

A. I have not spoken to any person since I was examined.

Q. Where did you get that bill changed?

A. I got it changed at Mr. Byfield's and Mr. Bridgeman's; Mr. Bridgeman and his wife changed it for me, confectioners in Vere-street.

Q. Are Byfield and Bridgeman partners?

A. I believe they are.

Q. Did you try to get that bill changed at any other place?

A. Yes; I went to Mr. Stevens's in Bond-street, and tried there, but they could not do it for me; they sent out, but could not do it for me.

Q. How

Q. How long have you left Mrs. Clarke's service?

A. It is three years ago now.

Q. Have you seen her frequently since you quitted her service?

A. I never saw her before I saw her at this House.

Q. Did not you see Mrs. Clarke in her chariot a day or two before you gave your evidence at this bar, or on the very day in which you gave your former evidence?

A. The day before she sent for me into Baker-street, where she was in her carriage, to ask me, whether ever I had changed any bill, or knew any bill changed: I said, I recollected Mrs. Favourite giving a bill to Ludowick, and his going and getting the bill changed, and bringing it back again; and how I had taken a bill from her the night the Duke of York went to Weymouth, and got her change, and brought it back again; she asked me the amount of it, and I could not tell her; and she said she recollected that very well.

Q. Have you made any communication to Mrs. Clarke since that period, or do you know how it was communicated to her that you meant to alter your evidence?

A. I have not seen or made any inquiry or any thing to Mrs. Clarke.

(*By* Lord Folkstone.)

Q. How do you account for the circumstance, that at your last examination you did not recollect the particulars which you have now related to the Committee?

A. I had a very bad head-ach; and when I have the head-ach it affects my memory, that I am very forgetful, and I did not think of it: and at the same time, when I was asked about the Duke's servant, I thought I must not answer, as I was Mrs. Clarke's servant; or I had thoughts of it then, but as I was not asked, I wished rather to withdraw.

Q. Are you labouring under that *suffering at the present* moment?

A. Not now.

(By Mr. Perceval.)

Q. Then it was not merely the defect of memory occasion your head-ach that you di state the circumstance on you mer examination?

A. Yes, it was from that I did not recollect it; being a ger, and never at the bar befc did not know what to say.

Q. Did you recollect at the that you were here before, wha have stated?

A. I had some recollection, could not tell the sum of the b any thing; but I have since lected, that I believe the changed that night at eleven o' was 100*l.* or thereabouts.

Q. Did you know before came to the bar this evening, you were to be re-examined this point?

A. No, I did not.

Q. Do you recollect what ti the night it was that the Du York set off to Weymouth, o night this was changed?

A. Near one o'clock in the ing.

(*By* Mr. Fuller.)

Q. Did you not know whe were the last time at this bar, you were to tell the truth?

A. I have told the truth, t best of my knowledge.

(*By* Mr. Barham.)

Q. How could you state tha had spoken with nobody on the ject of the evidence you have before, when you immediately wards declared you had spoken with Mr. Wardle and Ludowic

A. I did not think what I then.

(*By* Colonel Verekker.)

Q. How do you reconcile memory, being so perfect in other part of the transaction,

not so perfect as to the amount of the note you got changed?

A. I am not certain of the amount of the note, no further than I think, to the best of my recollection, it was 100*l.*

(*By* Mr. A. Smith.)

Q. Do you know a Miss Taylor?

A. I have seen her at Mrs. Clarke's.

Q. Was she frequently at Mrs. Clarke's?

A. She was frequently at Mrs. Clarke's.

Q. Was she ever there when the Duke of York was there, and in his company?

A. I believe not, I do not recollect to have seen her in his company; she might have been in the house.

Q. Was she usually part of the society when the Duke of York was there?

A. I never saw her in company with the Duke of York.

Q. Was she very intimate with Mrs. Clarke?

A. I believe very intimate.

(*By* Mr. Fuller.)

Q. Are your head-achs of such a nature as to require medical aid?

A. No.

[The witness was directed to withdraw.]

Mr. Sheridan observed, there had been attempts to invalidate the testimony of this witness, yet he did not observe that he had contradicted his evidence at all.

Mr. Perceval objected to taking up time in making comments in this stage of the business.

Mr. Sheridan added, that he was not making comments, but was only observing on the mode of examination adopted by the Committee; and if he thought that mode objectionable, he saw no reason why he should not state his sentiments in the course of the examination; and, in doing so, it was necessary the witness should withdraw. If his statement, as to the amount of the note, be doubted, why not call Bridgeman or his wife to the bar?

Mr. Fuller—"I think I have a right to put a question to the witness, for the purpose of knowing if he had any medical aid for that deficiency of memory he has shewn on this occasion?" *(No, no, no!)*

[The witness was again called in.]

Q. What did you understand to be the real profession of Miss Taylor?

A. I am quite a stranger to it.

(By Lord Folkstone.)

Q. Do you ever recollect Miss Taylor dining in company with Mrs. Clarke at Gloucester-place?

A. Yes, I do.

Q. Did the Duke ever dine there at the same time? A. No.

[The witness was directed to withdraw.]

(Brigadier-General Clavering *was next called in, and examined by the* Attorney General.)

Q. Have you sent a letter to me (the Attorney-General) this evening?

A. I did so.

Q. Desiring that you might be examined?

A. I did so.

Q. When did you first know Mrs. Clarke?

A. I believe it was about six years ago; I am not exactly precise as to the date.

Q. For

Q. For what purpose did you call at Mrs. Clarke's house recently?

A. It was in consequence of a report that I heard, that every person in town with whom Mrs. Clarke had ever had any conversation, was to be called before this honourable House for the purpose of pledging to her veracity, and I heard among others that my name w duced; I accordingly a letter to an honourable this house, Colonel Ward of which letter I have in if it is necessary to produ

[General Clavering re ter.]

" Sir, " 8th Februa

" It has been intimated to me, that a letter has been a to you by Mrs. C. which is to be brought forward be House of Commons, wherein my name is introduced capable, among others, of speaking to her veracity. Sh be the case, I am most urgently to request that my na be expunged from the said letter. My testimony, m would mar the very point which she is desirous of sup since she told me very lately that she was living with M lish; since, being a family man, the world would be inc attribute improper motives for my acquaintance with a her situation.

" Being particularly anxious in this business, I wish the honour of seeing you upon it; and presuming tha to-morrow will not be an inconvenient hour, will wait on that time."

I accordingly, at twelve yesterday, did call upon Mr. Wardle, and I stated to him the purport of the letter which I have had the honour of reading to you; and I further stated, that if it was Mrs. Clarke's intention to summon me before the House, my testimony must certainly go to impeach her veracity, because it is not above a month since that she absolutely stated to me that she was living with a Mr. Mellish. On my return, after leaving Colonel Wardle's house, it lay in my way to pass by Mrs. Clarke's door, and it occurred to me that probably it might be a service also to state the same circumstance to her; I called there, and she denied herself, and she was extremely ill in that if I would call in two would see me: I replie would not be in my power that time; she then sent she was to be seen at ho o'clock, if I called at that accordingly did call abou ter after five, and did not se purport of it was to inform if she did call me, I shou der the necessity of stati have now had the honou ing.

[The witness was dir withdraw.]

Upon the suggestion of MR. ADAM, that part of Mrs. evidence of yesterday, relative to General Clavering havi called on her in the course of the day, was read. After same member begged leave to observe, that the evidenc witness was no contradiction to Mrs. Clarke.

The witness was recalled, and further interrogated

ATTORNEY-GENERAL.

Q. Is there any thing else you wish to state to the house?

A. If I may trust to the accuracy of the morning papers.

[This mode of answering was objected to by the Chairman.]

A. If I may judge from the accuracy of what I have heard, I understand my name was further brought forward last night, as having attempted to influence the vote of an honourable member of this House. I declare, upon my honour, to the best of my recollection, I never spoke to that honourable person upon the question, and it was perfectly unnecessary for me so to have done, because the honourable gentleman always did vote upon the side on which he then gave his vote.

Q. Did you ever represent, that you had influenced that person to give his vote upon that occasion?

A. Never.

(*By* Mr. Sheridan.)

Q. Did you exert yourself to bring up Lord John Campbell from Scotland, to vote upon the Defence Bill, towards the latter end of 1805, or the beginning of 1806?

A. To the best of my belief and recollection, I never wrote to him nor spoke to him upon the subject.

Q. Did you at any time during your acquaintance with Mrs. Clarke, promise to send her recommendations of any officers?

A. Never; but it will be necessary to explain the answer that I gave there more fully. About six weeks ago I received a letter from Mrs. Clarke, stating her inclination to see me; I called upon her, when she informed me she was extremely anxious to promote a young man who was a lieutenant in the 20th regiment, and that His Royal Highness the Duke of York was also anxious he should be promoted, and that Mr. Greenwood was also anxious he should be promoted. I was just then *returned from abroad*. She informed me a regulation had been lately entered into, that any member of parliament or a general officer writing a letter to Colonel Gordon, that recommendation would be taken into consideration immediately; I informed her I was not aware of any such regulation, and that previous to my taking any step of that kind, as it was totally unknown to me, I must know that that person was a deserving character. She accordingly, about two days afterwards, inclosed me a letter signed by Lieutenant-Colonel Ross, of the 20th regiment, stating that Lieutenant Sumner, the officer in question, was a very deserving character. In order to be satisfied that this letter was written by Lieutenant-Colonel Ross, I went to the house of Messrs. Greenwood and Cox, and shewed the letter to the head clerk, who informed me that it was the signature of Colonel Ross; I afterwards informed her that it would be absolutely necessary that a proper letter should be written to me upon the subject, and as she had told me this Lieutenant Sumner was a nephew to Mr. Sumner, an honourable member of this house, I desired that this letter should be written by him to me. Accordingly a few days afterwards I received a letter, which was absurd in the extreme, dated from the Temple, and dated something sooner; the letter was so extremely absurd, that I returned it to Mrs. Clarke, stating in my letter, that if she meant it as a joke, it was an extremely bad joke, and that if I sent it to the War-Office, it would be very badly received; and I concluded that I was her humble servant. A few days afterwards, she sent me another letter, signed by

by this same Mr. Sumner, which letter I have in my pocket, but which second letter I took no notice of, in consequence of absurdity of the former.

[The letter was deli read.]

"Sir,

"My brother, Lieutenant Sumner of the 20th foot, sirous of purchasing a company in the 79th regiment, ing served in the above-mentioned corps with the en bation of his commanding officer, (if not in that, in old regiment of the line,) I take the liberty of reque you will adopt the necessary steps for promoting his such recommendation of him, to the Duke of Yo conduct appears to merit; and you will confer a favour on

Your most obedient humble servant,

"*Temple, Jan.* 17, 1809." CHAS. C. SUM

"*Brig.-Gen, Clavering.*"

Q. Did Mrs. Clarke represent to you who this Mr. Sumner was, from whom the letter came?

A. She informed me upon my first interview with her, that he was a nephew of Mr. Sumner, the member for Surrey.

Q. Were you informed who the Mr. Sumner was, who was supposed to have written that letter?

A. I never was informed who the Mr. Sumner was, who wrote that letter, but I have been informed this evening, that there is no such person in existence.

(*By* SIR THOMAS TURTON.)

Q. At either of the times you called upon Mrs. Clarke yesterday, did you leave any and what message, and with whom?

A. If I mistake not, I stated that to the honourable House before; I left no other message than that I should call at about a quarter after five, as she had appointed that time for being at home.

Q. Did the gentleman who was with you, leave any message in your *hearing?*

A. There was no person with me.

Q. At either of the ti

A. On the second tainly said it was extren dinary that she had gon she had appointed that ing me.

Q. Did you leave purporting what was t your visit to her?

A. I left no messa but that which I have nour of stating.

Q. I understood you you impeach the credi testimony of Mrs. Clarl ground that she repres to be living with a Mr. she represent herself t ing with Mr. Mellish, for Middlesex?

Q. She did not say the member for Middle

Q. Have you any, a son to suppose that she under the protection of lish?

A. That which pass nourable house a few e it was proved that she with Mr. Mellish.

Q. Then I understan that you have no othe

G.L. WARDLE, ESQ, M.P.
for Okehampton.

"Unless corruption be attacked, and attacked strongly too,
This Country will soon fall an easy Prey to an Inveterate Enemy."

Vide Mr. Wardle's opening speech.

Published as the act directs March 1st 1809, by James Gillray, Strand, Corner of Bond Street London

credibility of the tes-
s. Clarke, but the
she lived under the
Mr. Mellish?
that I am at present

ou any reason, inde-
y circumstances that
or heard of, to im-

peach her testimony, or to consider her not worthy of belief?

A. I certainly do not conceive her worthy of belief, from having imposed upon me in the manner she had, and from the variety of contrary evidence it does appear she has delivered before this honourable house.

suggestion of MR. ADAM, the witness was ordered to
d he stated as his opinion, that the last answer could
part of the evidence on the minutes.
AS TURTON said, he certainly thought very differently
gentleman. When a witness called upon the House
e him, not only in support of his own character, but
ne testimony of another witness, it was certainly pro-
en the sources of his information and his motives. He
been unwilling to put the question, had he had reason
witness would have given such an answer; but since
given, the House and the public had a right to know
unds he impeached the credibility of a witness. He
ght the matter should remain as stated in the minutes.
e observed, that his only motive was, that no person
bar should advert to what passed in this House; for
stated *sub silentio*, yet it can be no authority proper to
n that House. He had, however, no objection to its
entered.
is was then recalled, and farther interrogated by SIR
RTON, and the former question repeated and answered

was again called in.]
is she imposed upon

ng informed me that
the protection of Mr.
I understand not to

you understand that
ase?
s appearing to have
the contrary before
e House. (*Murmurs.*)
ou any other reasons
an those you have
eve that she has im-
u?
hat I am at present

MR. DUNDAS.)

ou not stated in evi-
Committee, that she

has imposed upon you by stating that there was a false letter written to you in the name of Sumner?

A. If I am correct in my recollection, I did not state this evening that she had imposed upon me on that account.

Q. Have you not stated, that in the case of the Defence Bill, your name had been used, which you denied to be true?

A. I stated that I had heard so, but not from herself.

(By MR. WARDLE.)

Q. Are you acquainted with Miss Taylor?

A. If it is the Miss Taylor who has been examined before this house, I certainly have seen her at Mrs. Clarke's.

Q. Have you frequently seen her

at Mrs. Clarke's in Gloucester-place?

A. I may have seen her probably twice or three times there.

Q. Was she there as the friend and companion of Mrs. Clarke, when you saw her there?

A. I certainly believe not, because Mrs. Clarke informed me, that she kept a boarding-school at Chelsea.

Q. When she was in Gloucester-place, was she not upon a visit to Mrs. Clarke, and associating with her, living with her for the day?

A. That is more than I can reply to, not recollecting having ever been in Gloucester-place more than twice.

(By another MEMBER.)

Q. Did you not state that Mrs. Clarke had informed you that a regulation existed, by which a letter of recommendation of an officer, requesting promotion, forwarded by a member of parliament or a general officer, would obtain consideration; and have you ascertained whether such a regulation does exist?

A. I certainly have informed myself, that any application from an honourable member of parliament, or from any general officer, will always meet with attention at the office of His Royal Highness the Commander in Chief.

Q. Is the sense in which you understand attention will be bestowed upon a letter so sent, the sense in which you understood the communication you received from Mrs. Clarke?

A. I really do not understand the question.

Q. Do you understand the regulation, as you suppose it to exist, to be the same as she described it to you?

A. Certainly not, because she gave me reason to understand, that, during the time I was absent abroad on foreign service, a regulation had been issued, and no regulation had been issued upon the subject; I cannot say that she absolutely in those direct words said so, but she gave me to understand it, and I did so understand it.

Q. In what respect does the representation she gave of this regulation, and what you understand to be the practice of the Commander in Chief, differ?

A. They differ most widely, in consequence of no such regulation as she informed me of having ever been issued; but it was always understood, that a recommendation from a member of this house would be attended to, provided the object so recommended, on further enquiry, was found worthy of promotion.

(By MR. WESTERN.)

Q. You have stated, that you called at Mrs. Clarke's twice recently, to request that you might not be called upon to speak to her veracity; had you any other communication with Mrs. Clarke relative to the subject now undergoing the consideration of this Committee?

A. I certainly had another object in view besides, that I did not wish my name to be brought forward in a case of this kind, because the world might naturally imagine, that, having had any communication with a lady of that description, it might have been a communication of a criminal nature, which, upon my honour, never did exist. *(Laughter.)*

Q. Had you no other reason for requesting that you might not be called upon?

A. None but what I have had the honour of stating to this Committee.

(By MR. HERBERT.)

Q. You have stated, that you impeach the credibility of the evidence of Mrs. Clarke, because she told you that she lived under the protection of a Mr. Mellish, which you think contradicted by the evidence that came before this Committee;

mittee; what reason did she give you, or what reasons induced you to suppose that the Mr. Mellish she alluded to must be the member for Middlesex?

A. If I am correct, I did not say that it was Mr. Mellish, the member for Middlesex.

(*By* Mr. Quin.)

Q. Having stated that you called twice upon Mrs. Clarke, to request that your name should not be mentioned, or that you should not be called upon to give any testimony against her; what motive has induced you to come now to give this evidence?

A. Because my name having appeared in the public papers, I was desirous of wiping away the imputation which I have already referred to.

(*By* Mr. Lambe.)

Q. Are you acquainted with Mr. Dowler?

A. I never heard of him, except-ing through the medium of the public prints.

Q. Do you recollect having had any conversation with Mrs. Clarke upon political transactions, at the period of 1804 and 1805?

A. I have no recollection of any conversation of the kind; I am certain that none of that nature then took place.

Q. No conversation on the subject of the debates that were taking place in this house, and who was likely to vote on one side, and who on the other?

A. I have no recollection of any circumstance of the kind, and I am almost positive that no conversation of that nature ever did take place, as it was a business in which I did in no way whatever concern myself.

(*By* Mr. John Smith.)

Q. Had you any communication whatever on the subject of army promotions with Mrs. Clarke

A. I never proposed any conversation of that kind, nor do I recollect any having ever existed, excepting at the period I before alluded to, when she requested I would recommend to the consideration of the Duke of York, Lieutenant Sumner, of the 20th regiment.

Q. I understand you then to say, you had never at any time any communication or conversation whatever with Mrs. Clarke on the subject of army promotions, except in the case of Lieutenant Sumner?

A. Certainly not, as being the subject of conversation.

Q. Had you any incidental conversation with Mrs. Clarke upon that subject?

A. A period of so many years having elapsed since that time, it is impossible to speak positively and accurately to a question so close as that, but to the best of my belief I do not think I had.

(*By* Mr. Wardle.)

Q. Do you of your own knowledge know that Mrs. Clarke used her influence in favour of any person whatever in the army with the Commander in Chief?

A. I do not.

Q. Do you of your own knowledge know of any person that asked her to use her influence with the Commander in Chief upon that subject?

A. I am not acquainted with any person that ever did; I have heard reports of that nature, but I cannot bring to my recollection any person positively.

Q. Then you state positively that you do not know of any transaction of that nature?

A. None, to my certain knowledge.

Q. Give a direct and positive answer to that question.

A. I do not know of any transaction of that nature.

[The witness was directed to withdraw.]

The Marquis of TITCHFIELD rose for the purpose of explaining a circumstance which occurred in the course of last night's examination, and in which the name of a noble relation of his had been mentioned. The Noble Marquis was interrupted in his narrative by a question, arising on the propriety of the short-hand writer minuting down what he was about to say, with the evidence. This question being determined in the affirmative, the following question was put:

Q. Will your Lordship state every thing you are acquainted with as to an application from the Rev. Mr. Baseley to the Duke of Portland?

A. Mr. Baseley called upon the Duke of Portland on the 3d of January, not being able to see him, left this Letter, which the servant gave to my noble relation; it is dated No. 9, Norfolk Street, Grosvenor Square. The Marquis read the Letter, which was as follows:

"Norfolk Street, Grosvenor Square,

"My Lord Duke,

"I wished particularly to see your Grace upon the most private business. I cannot be fully open by Letter. The object is, to solicit your Grace's recommendation to the Deanery of Salisbury, or some other Deanery, for which the most ample pecuniary remuneration I will instantly give a draft to your Grace.

"For Salisbury, Three Thousand Pounds.——I hope your Grace will pardon this, and instantly commit these lines to the flames.——I am now writing, for the benefit of Administration, a most interesting Pamphlet. Excuse this openness; and I remain your Grace's

Most obedient and obliged Servant,

T. BASELY."

"P. S. I will attend your Grace whenever you may appoint, but sincerely beg your Grace's secrecy."

Indorsed:

"Delivered by the Writer himself to my Servant, on Tuesday, 3 Jan. 1809, at Bn House, P."

This Letter was delivered by the writer himself, and is indorsed by the Duke of Portland, the 3d of January in the present year. Upon receiving this Letter, my noble relation, finding that the writer of it was gone, gave particular orders that Mr. Baseley never should be admitted into his house, and the same day wrote a Letter to the Bishop of London, of which I have a copy in my hand, inclosing the note which I have just delivered in at the Table

"Burlington House, Tuesday 3d Jan. 1808

"My Lord,

"The Person by whom the note inclosed was left at my house this morning being possessed, as I understand, of one if not of two Chapels in your Lordship's Diocese, I consider it to be incumbent upon me, from the sense I have of the duty I owe to the public

a

as well as from my respect for your Lordship, not to suffer you to remain uninformed of it; and I accordingly take the liberty of laying it before you.

"I have reason to believe that the note is written by the Person whose name is subscribed to it, as I have heretofore received Notes or Letters from him, the writing of which, to the best of my recollection, very much, if not exactly, resembles that of the note enclosed; and one if not more of which was written at my house in consequence of my declining to see him. The note inclosed, however, he brought with him; and on my desiring to be excused seeing him, he gave it to my servant, and immediately left my house.

"As I have no copy of the note, I must desire your Lordship to return it to me."

Indorsed:
"To the Lord Bishop of London,
3d Jan. 1809."

I do not know whether it is necessary I should read the Letter which my noble relation received from the Bishop of London in consequence,

[The Marquis read the Letter.]

"Fulham House, Jan. 5, 1809.

"My Lord,

"It is impossible for me to express the astonishment and indignation which were excited in my mind, by the perusal of the Letter which your Grace has done me the honour of enclosing; a mark of your attention for which I must beg you to accept my best thanks.

"It is too true that this wretched creature Basely, has one if not two Chapels in my Diocese. I have long known him to be a very weak man, but till this insufferable insult upon your Grace, I did not know he was so completely wicked, and so totally void of all principle: And as your Grace is in possession of the most incontestible proofs of his guilt, you will, I trust, inflict upon him the disgrace and the punishment he so richly deserves.

I have the honour to be,
With the highest respect,
My Lord,
Your Grace's most humble and obedient Servant,
"Fulham House, 5th Jan. 1809." B. LONDON."

Indorsed:
"The Bishop of London."

That is the whole of the transaction.

MR. WARDLE desired that Mr. Parker might be called in, and examined relative to some accounts, when finding the books he had

had with him were not likely to answer the purposes intended, he requested that Mr. Tyson, from the banking house of Messrs. Marsh and Co. might be called.

(Mr. William Tyson *accordingly appeared at the bar, and was examined by* Mr. Wardle.)

Q. Have you got any account of checks of His Royal Highness the Duke of York, that were sent into your house by the late Mrs. Birkett of Princes-street?

A. Not any.

Q. Have you any notes of hand, or bills?

A. Not any.

Q. Have you any memorandum in your books of any such bills having passed through your house?

A. Not to my knowledge.

Q. Have you the late Messrs. Birkett's accounts at your house?

A. Yes, we have.

Q. Have you examined those accounts before you came here this evening?

A. Yes, I have.

Q. Was not the order that you received, to bring those accounts with you?

A. It was.

Q. Why did you not comply with that order?

A. I have brought a statement of Birkett's checks.

Q. Had any body spoken to you upon this subject before you were served with a summons this day?

A. No one.

Q. Do you take upon you to say that nobody to your knowledge has been at your house upon this subject, within these last ten days?

A. Not to my knowledge.

Q. Are you a partner in the house.

A. I am not.

Q. Why was it you did not comply with the order of the house?

[The order was delivered in and read.]

Q. You have stated, that you have a list of checks with you, what is that list?

A. In the year 1803, October 7, Parker and Birketts drafts payable to Clarke or bearer for 120*l.*; in the year 1804, April 26, payable to Clarke or bearer 50*l.*; August 11, payable to Clarke or bearer 70*l.*; September 15, payable to Clarke or bearer 50*l.*; in the year 1805, March 13, payable to Clarke or bearer 364*l.* That was the whole I saw payable in the name of Clarke.

Q. Whose checks are those; by whom are they drawn?

A. The first four I believe were drawn by Parker and Birketts; the remaining one by Birketts and Dockery.

Q. You have stated that you have examined Messrs. Birketts account, and find in that account no checks whatever by His Royal Highness the Duke of York, as having passed through your hands?

A. My instructions were to see what checks were drawn by Birketts and Dockery in favour of Mrs. Clarke, which I have done.

Q. Do you happen to know that any bills were ever left at the banking house of Marsh and Company, by Messrs. Birkett, in which Mrs. Clarke's name appears to have been the drawer or the acceptor?

A. I have no knowledge of any.

[The witness was directed to withdraw.]

Mr. Perceval submitted to the House the propriety of waving the examination of this witness, that the order might be examined and the books produced, which proposal was *agreed to.*

(Colonel

(COLONEL LORAINE *was then called in, and examined by* MR. PERCIVAL.)

Q, Did you hold any situation in the Commander in Chief's Office, at the time when Colonel French's levy was first instituted? A. I did.

Q. What situation did you hold at that time?

A. Assistant Military Secretary.

Q. State what you know respecting Colonel French's application to be permitted to raise a levy of men at that time?

A. It came in the usual course of office and passed regularly through the office, and was examined as all things of that kind are, and every pains taken to ascertain whether it was a levy that would answer the purpose or not.

Q. Did the application of Colonel French come to the office in writing, in the first instance?

A. It did.

Q. Can you produce that writing?

A. These are the terms which were produced in the first instance.

[The terms were read.]

Q. What was done upon this proposal?

A. It appeared to have lain by for some time, and Colonel French wrote another letter.

[Note was read, dated March 5th 1804.]

Q. What situation did Colonel Clinton hold at that time?

A. Military Secretary to the Commander in Chief?

Q. Was any answer sent to that note by Colonel Clinton?

A. To the best of my recollection when this note came to the office it was sent to me, and I was desired to examine the terms that were offered by Colonel French. At that time I was in the habit of consulting and communicating with General Hewitt, who was then Inspector General of the recruiting service, and I shewed the terms to him, and he desired that Colonel French might be referred to him; in consequence of that, a reference was made, which I believe will appear by the correspondence.

[A letter was then read, dated Horse Guards, 7th March, 1804, which directed future applications to be be made to General Hewitt.]

Q. Do you recollect what was the next step taken upon this proposal?

A. As far as I recollect, Colonel French applied to General Hewitt, as directed; and General Hewitt of course examined the terms that he proposed, and modelled them as he thought fit for the Commander in Chief's consideration: and after it had gone through the whole of the regular course in the office, the letter of service was issued by the Secretary at War, which is usual in those cases.

Q. Is there any letter of March 20th?

A. Yes, there is; Colonel French made various representations with regard to his levy, before it was finally settled.

Q. Can you, by referring to those papers, give any account of those different applications?

A. There is one representation of the 20th March, which I hold in my hand.

Q. Is there one of the 18th or 20th of April?

A. There is a copy of a letter from Colonel Clinton of the 18th of April, returning the proposals, with the Commander in Chief's remarks thereupon.

[The letter was read.]

Q. The proposals in short, after having been referred to General Hewitt, were accepted with certain alterations, which appeared in *red ink* in the margin of that paper?

A. They were.

Q. Are you aware of any other alterations that took place in the course of the levy, and how were they introduced, if any?

A. To the best of my recollection, the bounty was raised at two differ-

ent

ent times during that levy, because the bounties to the regiments of the line had been increased.

Q. Are there any letters among those papers which give an account of that circumstance?

A. Unless I had time to look over the whole papers, I do not know that I could speak to it.

Q. Is the course of office, after the levy is approved, to send it to the Secretary at War?

A. It must necessarily go to the Secretary at War, because it is by him that the letter of service is issued.

Q. Were you in office in April 1805? A. I was.

Q. Will you see whether there is any letter of the 16th April, 1805, from the Commander in Chief to the Secretary at War?

A. There is.

[The letter was read.]

Q. Subsequent to that letter, do you recollect any application from Messrs. French and Sandon, proposing some alterations in this levy?

A. Yes, I have a proposal of the 20th April.

Q. What is the effect of that proposal?

A. They proposed that a certain number of officers should be employed in the levy, of a different description from what they had before; that appears to have been the drift of it, and also a change with regard to the non-commissioned officers.

Q. Was there any answer to that letter?

A. There was, of the 25th April 1805, a letter from Colonel Gordon.

[The letter was read.]

(*By* Lord Folkstone.)

Q. What situation do you now fill?

A. I am one of the Commissioners for the Affairs of Barracks.

Q. What situation did you hold before you were a Barrac missioner?

A. I was Lieutenant Col the 91st regiment, and A Military Secretary to the mander in Chief.

Q. How long were you A Military Secretary to the mander in Chief?

A. About seven years.

Q. What was your rank army when you first became A Military Secretary?

A. Major of the 9th regi foot.

Q. Did you purchase the tenant Colonelcy?

A. I did not.

Q. Did you ever join you ment as Lieutenant Colonel?

A. Never: when my regim ordered on service, I twice to join my regiment, and the mander in Chief did not accep of my offers, saying I must in my present situation, near the Horse Guards; after this, not think that it would be bec in me to offer again, because it appear that I was volunteer services, when I knew my s would not be accepted; and leave to add, that before I c the Horse Guards, I had be years in the service, and com with my regiment; and then did not think that I was so pe ly called upon, as perhaps a man who had never seen an vice.

Q. Are you now in the army

A. In consequence of havin ed 29 years, when I accept civil situation in the Barrac partment, His Majesty we ciously pleased to allow me tain the rank I now hold, b rank is not to be progressive.

Q. Did you sell your Lieut Colonelcy? A. I did.

Q. At what price?

Q. I know of no other pri M regulated price allowed, I ajesty.

(MR. PERCEVAL.)

re have you served?

ved four campaigns dur-
erican war, in America;
ved between five and six
he West Indies; during
I I served with the late
at the capture of the
st India Islands; and I
I on the Continent of Eu-

Colonel French's levy go
l the ordinary stages in
was there any thing irre-
t of the way in the man-
ch it was proposed or

ent through the regular
fice, and if I may be al-
y it, I think it was more
t with than any other levy
e going on, and for this
it General Hewitt, who
tor General of the Re-
vice, had a great preju-
r any officer that he con-
cruiter.

the different applica-
d to General Hewitt be-
re accepted?

riably laid every thing
before General Hewitt
nto my hands; as I had
mmunications with him,
ssible to find any opin-
l as his upon that sub-

Q. Were the suggestions of General Hewitt in the alterations that he proposed, adopted by the Commander in Chief?

A. To the best of my recollection, almost always in those cases.

Q. Do you remember in the course of those proceedings, any alterations proposed by General Hewitt that were not adopted?

A. I cannot exactly recollect that, but the whole of the proposals were modelled as far as possible according to his wishes and opinions.

Q. Is General Hewitt now in the kingdom?

A. He is not; he is Commander in Chief in the East Indies.

(*By* SIR JAMES GRAHAM.)

Q. Do the papers in your hands contain every written communication which has passed upon the subject of Colonel French's levy in the Commander in Chief's office?

A. It is impossible for me to answer that question, not being now in the office, and having had no interference or hand at all in looking over these papers?

Q. Then you are not able to state that these are the whole of the communications upon this subject?

A. No.

[The witness was directed to withdraw.]

RCEVAL said, that as the order of the House had di-
he papers to be laid before them, they had a right to
at this order had been complied with.

IAH DONOVAN *was then and examined by* MR.

ou know Major Tonyn,
egiment?

e what you know re-
ajor Tonyn's promotion
th regiment to the ma-
31st.

A. I believe it was about the month of March 1804, that Captain Sandon called upon me, and told me that he had an opportunity of promoting a gentleman to a majority; if I knew of any gentleman who had claims that would entitle him to it, he could forward the promotion. I mentioned this circumstance to Captain Tonyn, who was a very old officer, I believe he had

served about 23 years. The terms upon which he was to obtain that promotion, as far as I can recollect, was 500*l.* Captain Tonyn waited for some time, and he became impatient. I believe about the month of May or June, he said, as there were a number of field officers to be promoted, he considered, as he had not obtained that promotion through Captain Sandon, in the mean time, he should withdraw his name from Captain Sandon, and take his chance in the regular line of promotion: in consequence of which I immediately waited on Captain Sandon, and apprized him of it. Captain Sandon requested that he might be introduced to Captain Tonyn: he was. Captain Sandon argued with him, and told him that it was in consequence of his recommendation that he would be gazetted. Captain Tonyn, on the contrary, said, that his father, General Tonyn, had recommended him for a majority; and that, as he understood a vast number of captains were to be promoted to majorities on the augmentation, he certainly should be promoted without the interest of Captain Sandon; however, they agreed upon some terms; what they were I do not know, I had nothing to do further with the pecuniary transaction, nor did I know till the May twelvemonth, following, the year 1805, how it was that Major Tonyn obtained that promotion.

Q. What did you know in the year 1805, to which that refers?

A. I knew that Major Tonyn was promoted.

Q. Is that all you know?

A. But Major Tonyn's promotion came out in the general promotions of augmented field officers.

Q. Is that all you know?

A. That was all I knew till the year 1805. Major Tonyn, I believe, was gazetted in August 1804, and then, to my astonishment, I was informed by Mrs. Clarke that she *was the* person who had obtained *that promotion.*

Q. Do you know wl
500*l.* was lodged upon t
greement in the hands of
cular person?

A. The money, I believ
lodged in the hands of
in the first agreement.

Q. Do you know wl
money was lodged prior
zetting of Major Tonyn?

A. I did not know that
was lodged prior to the g
Major Tonyn.

Q. Do you know wl
money upon that comm
was lodged at all or not?

A. I do not know that
was lodged previous to th

Q. I do not ask previ
particular period, but do
that any sum of money
with any body on that acc

A. There was no sum
lodged on that account;
lieve, a gentleman had
to pay Captain Sandon
money which I understan
to Captain Sandon; but
know it.

Q. Do you know who
tleman was?

A. I do.

Q. State who he was.

A. Mr. Gilpin.

Q. Who was Mr. Gilpi

A. An army clothier, a
the 48th regiment.

Q. Do you know at wl
this sum was lodged wit
pin?

A. I do not know tha
was lodged with Mr. Gi
Gilpin, I believe, underto
the money.

Q. Do you know that M
did pay the money?

A. I do not further th
been told so.

Q. Do you know of
knowledge who did pay th

A. I do not, nor when it
nor how it was paid.

Q. Who told you?

A. Mrs. Clarke.

Q. What did Mrs. Clarke tell you?

A. She told me that she had received a sum of money for the promotion of Captain Tonyn to a majority in the 31st regiment

Q. Did Mrs. Clarke tell you what sum of money it was?

A. I do not exactly recollect what sum it was.

Q. Are you positive that you cannot recollect what sum it was?

A. I am.

Q. Did Mrs. Clarke tell you from whom she had received that sum?

A. She told me she had received that sum, whatever it was, from Captain Sandon.

(*By* LORD FOLKSTONE.)

Q. You have stated, that Captain Huxley Sandon told you that he had the power of getting promotion?

A. He did.

Q. State what passed upon that subject, as nearly as you can recollect, between Captain Huxley Sandon and yourself?

A. Captain Huxley Sandon told me that he had the power of obtaining promotion through some Gentleman, a friend of his; but Captain Huxley Sandon never told me who the person was through whom he did obtain the promotion, until I met him, and conversed with him upon this subject, in the room where the Witnesses had been waiting near this House.

Q. State who that person was, whom Captain Huxley Sandon named this night. A. Mrs. Clarke.

Q. State whether Captain Huxley Sandon has ever stated to you his power of promoting officers, independent of this one circumstance of Captain Tonyn?

A. At the same time he mentioned to me, that he could promote Lieutenants to Companies; I think Captains to Majorities; Majorities to Lieutenant-colonels; and, in the first instance, he told me, it was in consequence of the new levies that were to be raised, or some augmentation to the army.

Q. Did Captain Huxley Sandon ever speak to you about other promotions, unconnected with those new levies?

A. He never spoke to me as to any other promotions than those I have mentioned now; I was imposed upon by the supposition, that it was new levies, or an augmentation to the army.

Q. You do not of your own knowledge know of any other transaction of the nature in which Captain Huxley Sandon was concerned?

A. I believe that a Major Shaw applied, and that I left his papers in the hands of Captain Sandon; but he could not obtain the promotion for Major Shaw.

Q. What was the promotion Major Shaw wanted?

A. Permission to purchase a Lieutenant-Colonelcy, or to get a Lieutenant-Colonelcy without purchase, by paying a sum of money for it.

Q. And Major Shaw did not establish that wish?

A. Not through that channel

Q. Through what other channel did he establish it?

A. Major Shaw's papers were delivered back to me, and returned to Major Shaw. I believe they were brought to me by a Mr. Macdougall, as I recollect, and I believe they were returned to Mr. Macdougall. Some time afterwards, Mr. Macdougall asked me, if I could procure that promotion for Colonel Shaw. A lady had called upon me, and said, that she had an opportunity of promoting Major Shaw's wishes.

Q. Who was that lady?

A. Mrs. Hovenden.

Q. Where does Mrs. Hovenden reside at present?

A. In Villiers-street, York-buildings.

Q. At what Number?

A. At No. 29.

Q. Was that Lady at the House with you the other night?

A. She was.

Q. Is Major Shaw now at the Cape of Good Hope?

A. I really do not know, but I understood he got the promotion, and went to the Cape of Good Hope.

Q. State whether, through the medium of this Lady you have named, any other promotions, have been effected in the army?

A. Not to my knowledge; it may be necessary to explain the business of Major Shaw, because it was not through that introduction at that period that Major Shaw obtained that.

Q. Was this the only circumstance of the sort that was carried through the medium of that Lady?

A. I know not of any that was carried, not even of that.

Q. Do you know of any that through her medium was attempted?

A. I have heard her say that some were attempted, but I cannot say what they were.

Q. You do not know that any money was lodged, upon Captain Tonyn's attempt at promotion?

A. I do not: I have already explained that Mr. Gilpin, I understood, undertook to pay it, but that no money was lodged.

Q. You have stated that Captain Sandon informed you that he had the means of promoting Lieutenants to Companies, Captains to Majorities, and Majors to Lieutenant-Colonelcies: in consequence of that information, did you negociate such promotion?

A. I did not negociate any promotion through Captain Sandon, except that of Major Tonyn, by introduction.

Q. Were you to receive any remuneration for that introduction?

A. I was.

Q. What were you to receive?

A. 25*l.*

Q. Did you receive it? A. I did.

Q. Have you, since you were last examined, recollected any negociation which you carried on for promotions in the army, besides those which you mentioned in yo examination?

A. I have never thought of

Q. Are you now certai those were the only ones in you ever engaged?

A. I am not certain.

Q. You have stated, th learnt from Mrs. Clarke, in t 1805, that she had received

A. No, I do not know tl exactly.

Q. That she had received of money in consequence of Tonyn's promotion; at what the year did you receive tha mation?

A. It was in the month o 1805; Major Tonyn had b zetted in August 1804.

Q. Where was it you r that information from Mrs. C

A. At Mrs. Clarke's ho Gloucester-place.

Q. On what occasion we at Mrs. Clarke's house at G ter-place?

A. I was there in consequ a report which had been circ that I was the author of som rilous paragraphs against His Highness the Duke of York. traced my information to Clarke, and from her I trac Captain Sutton, but not t time I saw her, and that reason I waited on Mrs. Cl had no other introduction but

Q. Did you receive that i tion at your first visit, or your visit, or your third visit?

A. At my second visit, as I can recollect.

Q. Do you recollect any conversation that passed between you and Mrs. Clarke at that visit?

A. I do not recollect the sation; it was not of any quence.

Q. Did any conversatic respecting promotions in the

A. I do not recollect t conversation passed relative

motions in the army at that time; it might be so.

Q. Do you recollect that any such conversation passed at any other time?

A. I believe on the third visit.

Q. What was that conversation?

A. That Mrs. Clarke had been the means of promoting Major Tonyn.

Q. You have stated, that you received that information at your second visit?

A. I am not certain whether it was at the second or the third? I do not say it was absolutely the second, but I believe it was; I had no expectation of being called upon, and therefore I made no minutes or memorandum of it.

Q. Are you certain any conversation took place respecting Major Tonyn at the third visit?

A. I am not certain whether it did or not; I know it did not on both meetings.

Q. You have stated, that in your second visit to Mrs. Clarke, no conversation took place about military promotions, except that of Major Tonyn; did any such conversation take place at any other time?

A. I believe it did, relative to Major Shaw.

Q. Never as to any case but that of Major Tonyn and Major Shaw?

A. Not in which I was concerned.

Q. Are you sure you were never concerned in any other?

A. I am not sure.

(By Sir J. Hill.)

Q. Did Mrs. Clarke at any time inform you whether His Royal Highness the Duke of York knew any thing of the transaction of Major Tonyn's promotion?

A. Mrs. Clarke never informed me of His Royal Highness's having known any thing of it, till November last.

Q. What did she state to you in November last?

A. She *mentioned*, amongst a number of other things, that she had been extremely ill used by His Royal Highness the Duke of York; that in consequence of that, unless His Royal Highness did that which was right towards her, she would publish the whole of the transactions which had passed relative to promotions during the time she lived with His Royal Highness.

Q. But not relative to Major Tonyn's?

A. Not particularly to Major Tonyn's.

Q. Did Mrs. Clarke ever inform you that she had mentioned to His Royal Highness the Duke of York, that she had received a sum of money on account of Major Tonyn's promotion?

A. Never till then, the month of November last; on the contrary, when I visited her in Gloucester-place, in the first instance, she, so far from mentioning His Royal Highness being privy to it, was so alarmed at my name being announced as a friend of Major Shaw, or any other person, that Major Shaw got his papers back immediately, gave Mrs. Hovenden 10*l.* for them, and said he would have done with Mrs. Clarke, for that my name had prevented his promotion taking place; and, in consequence of that, I had no more to do with Major Tonyn in his promotion, which I understood took place about twelve months afterwards, nor did I ever see him but once since, on Ludgate-hill.

Q. What did Mrs. Clarke say, in November last, on the subject of Major Tonyn?

A. I have mentioned what she said of Major Tonyn, that she had received a sum of money, which she should publish, among a number of other circumstances, unless his Royal Highness did that by her which she thought he ought to do.

Q. What sum?

A. The sum which she had received for Major Tonyn's promotion.

Q. At

Q. And that she had informed the Duke of York of it?

A. No, never.

(By General Norton.*)*

Q. You have said, that General Tonyn reccommended his son for promotion?

A. I have said, that Major Tonyn informed me that General Tonyn had recommended him.

Q. Do you know how long Captain Tonyn had had the rank of Captain in the army?

A. I believe nine or ten years.

Q. Can you tell, in the course of your business, whether you do not know that that is a very long period for an officer to remain in the rank of captain before he gets to the rank of major?

A. I understand, that a captain of ten years standing is entitled, and generally receives, the brevet of a major.

Q. Are you certain that it was not by brevet he got his rank?

A. I believe it was by augmentation, and not by brevet, for he was appointed to the 31st regiment; had it been by brevet, he would have continued in the 48th.

(By Sir Thomas Turton

Q. Have you not stated, t your interview with Mrs. Cl November last, she informe His Royal Highness was acq with the circumstance of given for Captain Tonyn's p tion?

A. She said that she should p it, but she did not tell me th Royal Highness was acquainte it.

Q. Was that in Gloucester that you saw Mrs. Clarke i vember last?

A. No, it was in Bedford-p

[The following question a swer were read over to th ness:]

"Q. Did Mrs. Clarke ev form you, that she had mentio His Royal Highness the D York, that she had received of money on account of Maj nyn's promotion?

"A. Never till then, the of November last."

Mr. Donovan. — That i what I mean to say.

The witness was ordered to withdraw.

Mr. Barham thought there was great impropriety in pe ing witnesses to alter and amend their testimony; not in points which might be supposed to result from inadvertency, in those which were drawn from them in the cross-examin He proposed that they should let the answer stand, and also i the alteration proposed by the witness, that they might form part of the evidence.

The witness being again called in, the Chairman directed him to state how he wished the answer to the above question to be taken down?

A. No; in November last Mrs. Clarke told me, that if His Royal Highness did not do that which was right by her, she would publish the case of Major Tonyn, with many others.

Q. *Did she, in* November last, communicate to you, that sh informed His Royal Highne Duke of York of her having t sum from Major Tonyn?

A. She did not; she only t ened to publish that, with other cases.

Q. I understand you to hav she was extremely anxious should not come to the ears Duke of York, when you saw

Clarke in Gloucester-place; is that so? A. It is.

Q. What reason did she give for that anxiety?

A. She said, that if His Royal Highness the Duke of York should know of her having received any money for military promotions, that she should be disgraced, and the officer would lose his commission.

Q. You are sure, upon your recollection, that that was the reason which was assigned?

A. I am.

(By MR. WALLIS.)

Q. When Captain Sandon stated to you, that he had the means of obtaining promotions through almost all the gradations of the army, did he state to you any particular terms upon which those promotions were to be had?

A. I recollect that he said, for a majority five hundred guineas; but I do not recollect that he stated the particulars of every commission.

Q. Had you any reason, either at the time or afterwards, to consider Captain Sandon, in that business, as the agent of Mrs. Clarke?

A. Never, till Mrs. Clarke herself told me so.

Q. Did you visit Mrs. Clarke, in November last, by her own solicitation?

A. It was by her own solicitation.

Q. You have stated, that she used certain threats, unless conditions were agreed to; what terms did she state to be the terms of her forbearance?

A. The payment of her debts, and the settlement of an annuity.

Q. Did she apply to you, to participate in carrying those threats into execution?

A. She did.

Q. To what extent?

A. I am afraid I should be obliged to implicate many persons, with whom she took very great liberties, in mentioning their names, as persons who were in fact instigating her to these acts.

Q. State what Mrs. Clarke said to you, to induce you to participate in that business.

A. Mrs. Clarke said that the Duke of York, unless he came to these terms, must be ousted from his command; that he would then retire to Oatlands, where he would *soon cut his throat;* that was her expression.

Q. Was that all that passed?

A. I endeavoured to prevail upon her to inform me who were her associates in the plot: her answer was, that if I would go with the tide, she would provide for me and my friends very handsomely, for in that case she would have a *carte blanche*, that would enable her to *do more business than she ever had done;* that was her expression.

(By MR. LOCKHART.)

Q. Did she state to you who were her associates in this plot, as you term it?

A. She said that she was bound to secrecy, though she longed to inform me; that was her expression.

Q. Then how could you implicate others, if she did not inform you who they were?

A. There was one or two persons whose name she mentioned as having offered her money for some papers.

Q. Who were they?

A. One was Sir Francss Burdett; she said that Sir Francis Burdett, about eighteen months before, had offered her 4,000*l.* for the papers, but that she would not then take less than 10,000*l.* I did not believe her. *(Loud laughing.)*

Q. Who were the others?

A. I do not wish to mention.

[The Chairman directed the witness to answer the question.]

A. There was but one more; I

do

do not choose to mention the other person.

[The Chairman informed the witness, it was the sense of the Committee he must answer the question.]

A. It was Captain Dodd that she mentioned as the other person who wished to get the papers from her.

Q. How was this to be carried into execution?

A. She did not inform me.

Q. You have stated, that if you gave names, you must implicate a number of people; how much further do you mean to go with the names, to make out a number of people?

A. I do not mean to go any further.

[The following words of the witness, in a preceding part of the examination, were read:]

"A. I am afraid I should be obliged to implicate many persons with whom she took very great liberties, in mentioning their names, as persons who were in fact instigating her to these acts."

Q. Do you mean that two constitute the many you spoke of?

[The witness referred to a paper.]

Q. What is that paper to which you are referring?

A. Memorandums.

Q. Do you mean that two constitute the many you spoke of?

A. Two cannot constitute many.

Q. Then name the others.

A. I am in an error in that, in mentioning many.

Q. What terms, or what consideration did she inform you Captain Dodd had offered for the papers?

A. She did not mention what he had offered for the papers, but that he had wished to possess the papers.

Q. Do you know what situation Captain Dodd is in?

A. I do not.

Q. Does he hold any official situation, that you know of?

A. I believe he does.

Q. What is it?

A. I do not know what it is that he holds, but I believe he holds some official situation under His Royal Highness the Duke of Kent.

Q. Do you, of your own knowledge, know of any other persons concerned in this transaction?

A. I do not; I do not know that they are, further than the report of Mrs. Clarke; nor do I believe it.

Q. You referred to some memorandums; why did you refer to them, and what do they contain?

They contained some notes taken at different periods; I believe the best way will be to read the whole.

[The witness was directed to withdraw.]

Some discussion took place as to the propriety of reading the witness's memorandums in evidence, when it was decided that they should not be read.

There was also some conversation between Mr. STURGES BOURNE, Earl TEMPLE, and Mr. WINDHAM, on the expediency of confining the witnesses to speak to their own knowledge, in imitation of the courts of law; though they asserted that the House was bound by no such rules, nor had in its practice observed them, still it was thought expedient to adopt them upon the present occasion. The Chairman was accordingly authorised to signify the same to the witnesses.

Captain Huxley Sanden was called for.

Mr. PERCEVAL proposed, that as there was one witness to whom a later hour might be inconvenient, the Hon. Member would

LORD HENRY PETTY.

would pospone the one he had now called to a future period of the night, and proceed to the examination of Mrs. Clarke.

Mr. Wardle said, that as he had but a few questions to put to Captain Sandon, he thought that his examination had better be disposed of at once.

Captain Huxley Sandon was accordingly called in, and having been informed by the Chairman that he was to answer to such facts as were within his own knowledge, and not to those facts which he was acquainted with only from hearsay, was examined by Mr. Wardle.

Q. Did you know Major Tonyn?

A. Yes, I did.

Q. State what you know respecting his promotion from the 48th to the majority of the 31st regiment.

A. In an interview with Mrs. Clarke, she asked me if I had any military friends that wished for interest; if they had money, she thought she could get them promoted. At that period, I did not know any body; but meeting with Mr. Donovan the next day, I asked him if he had any friends, he said yes, there was a gentleman in town that he thought would give a sum of money for a step; I asked him what sum he would give; he said he thought he would give five hundred guineas. I spoke to Mrs. Clarke upon the subject, and she said, by all means close with him. When I saw Mr. Donovan, I told him that I thought I could procure his friend the step that he wished for; upon which he produced a memorandum, signed by a Mr. Gilpin of the Strand, for the sum I have mentioned, whenever he should appear in the London Gazette, gazetted as a major. I believe it was near upon two months or ten weeks, I suppose it might be two months, when Captain Tonyn, for I never had the honour of seeing Captain Tonyn before that period, got tired that his promotion did not appear; he desired Mr. Donovan to call upon me, to say, that if I could not get the business finished, I had better return him his memorandum. I waited upon Mrs. Clarke, and told her what Mr. Donovan had said. She said that he was a shabby fellow, that he was very much in haste, but that if he would wait quietly, she dare say it would be done, and desired me to say that he had better wait a little. However, the next day I met Mr. Donovan, and I told him the interest that we had to procure the majority; had informed me that they had better wait a little. Mr. Donovan said, I am instructed by Captain Tonyn to say, you must give up your security immediately, for we are pretty clear, or at least I am pretty clear, you cannot get him gazetted; and another thing, General Tonyn has spoken to the Commander in Chief, and he has promised him the first majority that is vacant. I then begged to see Captain Tonyn; Mr. Donovan introduced me to him; he then told me the same, Sir, this business has been a long while upon the carpet, I do not think you can effect what you say you can do, and I desire you will give me up the security I gave you, for General Tonyn, my father, has procured a promise from the Commander in Chief, to give me a majority. I observed to him, that he had better wait a few days, for that I thought in all probability he would be gazetted. However, after arguing the point for a little time, he said, for two or three Gazettes it does not signify, let the business go on, and if I find I am gazetted in a week or ten days, the business shall be as it originally was. However, to make short of the story, I believe it was the Wednesday when

we were speaking, and on the Saturday or Tuesday following he was in the Gazette as major—the consequence was, I received the five hundred guineas, 500*l.* I gave to Mrs. Clarke, and 25*l.* to Mr. Donovan.

(*By* Sir Thomas Turton.)

Q. Do you of your own knowledge know that the promotion of Major Tonyn was owing to the interference of Mrs. Clarke?

A. No, I cannot say any thing upon the subject.

Q. Have you any and what reason to believe it was owing to the interference of Mrs. Clarke?

A. I have no reason at all to believe it was owing to the interference of Mrs. Clarke.

Q. Did Mrs. Clarke ever inform you that she had procured the appointment of Major Tonyn from His Royal Highness the Duke of York?

A. She certainly informed me she had got him gazetted.

Q. Do you mean by that, that she informed you that she had got him gazetted by means of her application to the Duke of York?

A. She always told me she would get him gazetted, and of course it was through that interest, I imagine.

Q. Did she state that it was through the Duke of York that she obtained it?

A. She told me yes, that it was through her interest; but whether it was or not I cannot say.

Q. Do you believe that this was obtained through Mrs. Clarke's application to the Duke of York?

A. I doubt it exceedingly.

Q. Had you yourself no emolument from this transaction?

A. I received five hundred guineas, 500*l.* I gave to Mrs. Clarke, and 25*l.* I gave to Mr. Donovan, which I believe makes the five hundred guineas. I had no emolument.

Q. Did Mrs. Clarke send you a Gazette, announcing the promotion?

A. I really do not know, I gave *her the money* the moment I saw it in the Gazette; she ha sion, for I watched the G the moment I saw him took her the money.

Q. You have stated, not believe this appointn fected by the interferen Clarke; for what did y Clarke the 500*l.*?

A. Because we had pro his appearing in the Ga major, for that was the w the note ran, that we wer the five hundred guineas, was by her interest o Tonyn's did not signify ran "on my appearing i don Gazette, gazetted as

Q. Did you apply to M for this appointment to Gazette, and on seeing t ment in the Gazette, she ceive 500*l.*? A. Yes.

Q. General Tonyn w the first majority that cant for his son?

A. So Captain Tonyn

Q. Did you receive, a ration to yourself, any 500*l.*? A. No.

Q. You have stated, t livered the 500*l.* to M and the 25*l.* to Mr. Dono advantage had you?

A. Nothing at all.

[The witness was direct draw.]

(George Holme Sumner *member of the House, m lowing statement:)*

I have only to confirm ment made by General that I have no nephew o of Sumner, and that I be is no such person living i ple.

(Mrs. Clarke *was called i ing been informed by the that she was to answer questions which she co from her own knowledg mined by* Mr. Wardle, *(*

Q. Do you recollect re ing Captain Tonyn of t

giment, for a majority, to His Royal Highness the Commander in Chief?

A. I do.

Q. Do you recollect who introduced Captain Tonyn to you for your recommendation?

A. Either Mr. Donovan or Captain Sandon.

Q. Do you recollect whether you were to receive any sum of money, provided Captain Tonyn was gazetted?

A. I do not recollect the stipulated sum, but I received 500*l.* when it was gazetted.

Q. Did you make it known, when you recommended Captain Tonyn to the Commander in Chief, that you were to receive any pecuniary consideration for his promotion? A. Yes.

(By Mr. Dickinson.)

Q. How did you come by the Gazette you sent to Dr. Thynne?

A. I suppose by the newspaper man.

(By Mr. Croker.)

Q. Did you ever apply to General Clavering for a recommendation in favour of Lieutenant Sumner?

A. Yes.

Q. Are you acquainted with Lieutenant Sumner? A. No.

Q. Who recommended Lieutenant Sumner to you?

A. Mr. Donovan.

Q. Do you recollect whether you represented Lieutenant Sumner to General Clavering as being allied or connected with any particular party? *(A laugh!)*

A. Yes, with his relations.

Q. What relations?

A. His Uncle.

Q. Who was his Uncle?

A. Doctor Sumner.

Q. Was that the only relation you mentioned to General Clavering?

A. No, Mr. Sumner the member also.

Q. By whom was Lieutenant Sumner represented to you, as the Nephew of Mr. Sumner the Member?

A. He was a Nephew of the Doctor.

Q. What relationship *was he represented* as bearing to Mr. Sumner the Member?

A. I cannot exactly recollect, but it was Cousin, or something in that way; that he was a relation.

Q. Have you ever represented yourself as being under the protection of a Mr. Mellish?

A. Neither him, nor any man.

Q. Have you not represented yourself as being, at one time, under the protection of His Royal Highness the Duke of York?

A. I really think that Gentleman is more mad than the person that was committed last night.

[The Chairman informed the witness she must answer the questions, and not make irrelevant observations.]

A. The whole of the Gentlemen know that already, by the representation which has been given before.

Q. Have you not represented yourself as being, at one time, under the protection of His Royal Highness the Duke of York?

A. I do not know that I ever did represent myself so; people knew it without my telling it.

Q. What do you mean by saying, it was very well known already by what had happened?

A. I do not recollect the name of any person that I ever represented myself to as living under the protection of the Duke of York.

Q. Will you positively say you do not recollect ever to have stated, that you lived under the protection of the Duke of York?

A. Yes, I will positively say, that I do not recollect that I did to any particular person.

Q. Will you say that you never represented yourself as being under the protection of any gentleman of the name of Mellish?

A. No, I never did, nor any other.

Q. You are positive of that?

A. Quite so.

Q. Did you ever make any representation to that effect?

A. Never.

Q. Did you never make any such representation to General Clavering?

A. No, never; I will repeat what was said in my parlour; General Clavering was mentioning to me, one morning when he called, that Turf Mellish was just setting off with General Ferguson; I said, yes, I have been told so, that he had taken leave of the Prince the night before: he said that I was in a very good house, and something, that Contractors and beef went on very well; that was all that passed: I made no answer to that: I have many times heard the report both of him and many others.

Q. Do you recollect having conversation with Mr. Donovan, in November last, relative to the proceedings that are now taking place?

A. No.

Q. Do you recollect stating, in a conversation to Mr. Donovan, that if His Royal Highness the Duke of York would not come into your terms, you would publish all the transactions which had passed between you during the time you lived together? A. No.

Q. Did any thing to that effect pass between you and Mr. Donovan? A. No.

Q. Did you ever try to induce Mr. Donovan to assist you in any purpose of exposing the Duke of York, or publishing those transactions?

A. No; but I will repeat what he said to me in the Secretary's room the other night; he said, if he had been aware of what Col. Wardle intended to have done, and he had called upon him and stated his intentions and behaved in a handsome manner, he would have put him into the way of proceeding, but as it was, he should go entirely against the whole of it; that he might have given him many and many cases.

Q. Is that conversation which took place the other evening in the Witnesses room, the only one you have ever had with Mr. Donovan concerning this business?

A. The only one, except what I wrote.

Q. Was any body present when this conversation took place between you and Mr. Donovan in the Witnesses room?

A. It was full of persons, but he spoke to me privately apart.

Q. Did you ever mention Sir Francis Burdett's name to Mr. Donovan in any way connected with this subject? A. No.

Q. Do you know Sir Francis Burdett?

A. In what way, as an acquaintance or personally only.

Q. Are you acquainted with him?

A. I have seen him a few times.

Q. Have you ever spoken to him or he to you?

A. I told him I had been a little acquainted with him, very slightly.

Q. Has Sir Francis Burdett ever written to you or sent you a message?

A. No he has not, not that I can recollect.

Q. Did Sir Francis Burdett ever apply to you to procure from you any papers relative to the subject now under inquiry?

A. Never once; nor have I had any sort of communication, nor heard or known any thing of Sir Francis Burdett since May last, and that was merely accidental.

Q. Have you ever told Mr. Donovan, or any body else, that Sir Francis Burdett, offered you money for some papers in your possession, or any thing to that effect? A. No.

Q. Do you know Captain Dodd?

A. Yes I do, slightly.

Q. How long have you known Captain Dodd?

A. Since my living in his neighbourhood.

Q. Do you often see Capt. Dodd?

A. What is meant by often?

Q. More times than once, or how often?

A. Yes, more times than once if that is often.

Q. When

Q. When did you see Captain Dodd last?

A. I do not recollect; but I have no view in screening it at all; I am not ashamed of Captain Dodd, nor I dare say Captain Dodd of me, only perhaps just at this time.

Q. Did Captain Dodd by any means demand or ask of you any papers in your possession relative to this transaction?

A. Never; we have never talked about it.

Q Did you ever represent to Mr. Donovan, or any other person, that Captain Dodd had tried to procure from you some papers relative to this transaction?

A. Never to any one.

Q. Did you ever express any wish to Mr. Donovan, that he would join with you or assist you in prosecuting this inquiry? A. Never.

Q. Or on any subject connected with the transactions now under inquiry? A. Never.

Q. Do you know Colonel M'Mahon? A. Yes.

Q. Did you ever write an anonymous letter to His Royal Highness the Prince of Wales?

A. To shew Colonel M'Mahon in his proper colours, I will produce his notes here to-morrow evening.

Q. Did you ever write an anonymous letter to His Royal Highness the Prince of Wales?

A. I wrote a few lines to the Prince of Wales, stating that a person wished to see him, and Colonel M'Mahon called

Q. Did you sign your own name, or any name, to those few lines which you sent to the Prince of Wales?

A. It was only a few lines without any name, and Colonel M'Mahon called in consequence, and when the servant opened the door, he asked, who kept the house; Mrs. Farquhar, that was my mother. When he came up stairs, into the drawing-room, he said, Mrs. Furquhar how do you do; what is the business; I told him that I wished to see the Prince of Wales, and after a few minutes conversation, Colonel M'Mahon found that I was Mrs. Clarke; he then promised to communicate the message to the Prince, and the next day brought me a very civil message from His Royal Highness, stating, that he was extremely sorry he was obliged to go out of town to Brighton, which he did do that morning, that it was impossible for him to interfere, that he had a very great respect for me, was sorry for the manner in which I had been treated, and that Colonel M'Mahon might use his influence with the Duke of York to be the bearer of any message that might be the means of making peace; but that it was a very delicate matter for His Royal Highness to interfere with his brother. Several notes passed between Colonel M'Mahon and me, and several interviews. He mentioned to me that he had seen His Royal Highness the Duke of York at one time, I think in July, that the Duke of York asked him, if I was not very much exasperated against him, and if I did not use very strong language, and abuse him. Colonel M'Mahon said, quite the contrary, Sir, I assure you; Mrs. Clarke is very mild towards you, and she lays the whole of the blame on Mr. Adam; he said, She is very right, I will see into her affairs. That was the end of the first message. I think the last message that Colonel M'Mahon brought me was, that he could not bring his Royal Highness to any terms at all, to any sort of meaning, concerning the debts, and although I had behaved so very handsome towards his Royal Highness, and had exacted nothing but his own promises to be put in execution, or even to take the sum that was due to me upon the annuity and pay the tradesmen, and then I would let His Royal Highness off of the debts, as that perhaps would satisfy them; that he considered it as very fair, and very honourable, and very liberal,

or

or he would not have been the bearer of those messages; and he said, he esteemed me very much, from the character I bore among my female acquaintances that he was intimate with, I mean women of character, and for the services I had done to many poor young men within his knowledge. I will bring some of his notes, or give them to Colonel Wardle, to be read here to-morrow, to corroborate what I have stated.

(*By* Mr. Croker.)

Q. Did you in November or December last, represent yourself to any persons as still having the power of procuring military promotions, or any other offices?

A. No; but I recommended some that wanted promotion to a person.

Q. Who was the person to whom you recommended them?

A. I will mention his name; and I intend to have him here; but it cannot happen immediately, from some circumstances. I must beg to be excused naming him now.

[The Chairman informed the witness that she must answer the question.]

A. If I answer the question, it will be impossible for me to produce him here; he will get out of the way; he will not come here.

[The Chairman informed the witness that she must answer the question.]

A. Mr. Maltby, of Fishmongers' Hall.

Q. Is Mr. Maltby the only person to whom you have made any recommendations since November or December last?

A. Yes; except the letters I sent to General Clavering.

Q. Have you represented yourself at any time, since the close of the year 1806, as having it in your power to procure army promotions or other offices?

A. No; except through Mr. Maltby, which he can speak to, if they lay hold of him.

Q. Have you had any communication with any other person Mr. Maltby, relative to the pr ing army promotions or offices

A. No; except that I hav spoken to.

Q. What situations did you e vour to procure through Mr. by, and for whom?

A. As I thought Mr. Maltby to be exposed in the whole conduct, I have not thought about it; but I have lette home I can bring forward, w am called upon.

Q. What situation did yo deavour to procure through Malby, and for whom.

A. I forget.

Q Do you not recollect an of them? A. Not one.

Q. Of the situations you e voured to procure so lately a vember or December last?

A. I am so little interested now, I cannot recollect.

Q. Do you even recollect many situations you endeavou procure? A. No.

Q. Can you recollect wh they were army promotions, vil situations?

A. The letters I have at can distinguish between them, cannot at present; besides, I w them for friends.

Q. Who were the friends for you wanted these appointments

A. When they give me the li of using their names, I will co nicate them.

[The Chairman informed the ness she must give a direc swer to the questions, unles objected to them, and appeal the Chair.]

A. I certainly must object to t

[The Chairman informed the ness, that it was the opini the Committee that she sh name the persons.]

A. I have already named Ma

f he is brought forward will name the persons.

man again informed the that it was the opinion of mittee that she should persons.]

s Mr. Lawson; I cannot e other.

llect yourself, and state mmittee those persons so represented as your se names you would com- when you had their per. A. That is one of them. were the others?

not recollect.

did you speak of friends, peaking of a single friend? u try to serve a person hem your friends, if you urself for them.

ou stake the veracity of nony upon that last an- you recollect but one of ns?

k that I ought to appeal r now.

rman directed the wit- ate the objection she had, Committee would decide

a very respectable man, been already very ill used, afraid of committing him nily.

rman directed the wit- name the person whom she to as a respectable per-

is giving his name at ly I cannot pronounce his tly, though I know how to d I must be excused.

ou not know how to pro- name of your particular m you represented as a d man?

irman admonished the that her present conduct disrespectful to the Com-

A. I mean to behave very respectfully, and I am very sorry if I do not; but I do not know but the Gentleman may lose the money he has already lodged, if I mention his name.

[The witness was directed to withdraw.

A short discussion here took place in the house, upon her refusal, when it was determined that she must answer the question.

The witness was again called in, and informed by the Chairman, that the Committee had considered her reason for declining to answer the question put to her, and was of opinion that she must answer the question.]

Q. What is the name of the person you alluded to?

A. Mr. Ludowick or Lodowick.

Q. Has that gentleman any other name but Ludowick?

A. I do not know his other name.

Q. Who is Mr. Ludowick?

A. He is a gentleman, I believe he lives in Essex: that is all I know of him.

Q. Whereabouts in Essex does he live? A. I do not know.

Q. Who introduced Mr. Ludowick to you?

A. I never was introduced at all.

Q. How did you become acquainted with Mr. Ludowick?

A. Through different friends.

Q. Name the friends that recommended Mr. Ludowick to you.

A. I cannot exactly name which it was in particular, but Mr. Maltby can tell, if he is had before the House.

Q. Name the friends that recommended Mr. Ludowick to you.

A. I cannot name any one in particular; Mr. Maltby knows more of him himself than I do.

Q. Is Mr. Ludowick the person whom you stated as having suffered enough already, whose name you were unwilling to tell? A. Yes.

Q. In what has he suffered already?

A. In lodging his money, and being a long while out of the appointment, meeting with frequent disappointments from day to day. At a future time, or after Mr. Maltby has been examined, I will mention the General Officer's name that he has made free with, I do not know whether correctly or incorrectly.

Q. That who has made free with, Ludowick or Maltby?

A. Maltby.

Q. What disappointments has Mr. Ludowick suffered, to which you allude?

A. I have already stated them.

Q. What appointment has Mr. Ludowick been disappointed of?

A. I believe two or three; first one was mentioned, then another: I cannot speak to one particularly.

Q. Try to recollect any one of them, or all of them?

A. I really cannot; when Mr. Maltby comes forward, he will be able.

Q. Do you mean to state, that you cannot recollect any one of the appointments Mr. Ludowick has been disappointed of?

A. One I can; but there have been three or four since offered to him, neither of which he has been able to procure.

Q. Name that one?

A. Assistant Commissary, I think.

Q. Where has Mr. Ludowick lodged the money which you speak of, or with whom?

A. As to that I cannot tell, but I can when I look over my papers at home.

Q. Do you say positively, that, without looking over your papers at home, you cannot say where this money is lodged? A. Yes, I do.

Q. How much money has Mr. Ludowick lodged?

A. From 800*l.* to 1000*l.*

Q. Who was the General Officer, whose name Mr. Maltby represented himself as having made use of?

A. Is that a fair questic

[The Chairman informed the that she must answer t tion.]

A. Sir Arthur Wellesley; of the excuses for one of pointments not taking place, Arthur being so very deeply in the investigation at Che this is not true, I'm doing thur a great service by br forward.

Q. What appointment wa was so delayed, by Sir Arth so much engaged?

A. I believe it was this f of Assistant Commissary, bu not sure.

Q. For whose use is th lodged?

A. I do not know, but I by looking at my papers.

Q. You have certain p home, which enable you to the Committee for whose the sum of money in questio lodged, and where it is lodge

A. Yes.

Q. How came you to be session of those papers?

A. They will shew for the when I produce them, bette can explain it.

Q. How came you in po of those papers?

A. From Mr. Maltby.

Q. Was it Mr. Maltby th duced Mr. Ludowick to you Mr. Ludowick to Mr. Malth

A. I do not think they h seen each other, not that I k

Q. Did you first ment Ludowick's name to Mr. M did Mr. Maltby mention i you?

A. I to Mr. Maltby; I be has been in the habit of a agent for these ten or a doz in this sort of way.

Q. Has Mr. Maltby mac the name of any other pe sides Sir Arthur Wellesley?

A. He has written very pointedly to that to me, and spoken besides.

Q. Has Mr. Maltby made use of the name of any other person besides Sir Arthur Wellesley?

A. I cannot recollect at present; but I shall, at a future time, if I am here, and will state it.

Q. Where did you form your friendship for Mr. Ludowick?

A. I have already said, that any man that I interested myself for, I considered as a friend; I am not intimate with him.

Q. How came you to interest yourself in Mr. Ludowick?

A. From a friend of my own.

Q. Who was that friend?

A. Mr. Barber.

Q. Where does Mr. Barber live?

A. In Broad-street, in the City.

Q. How long have you known Mr. Ludowick?

A. I do not know him, but by means of his family.

Q. Do you mean to say you have never seen Mr. Ludowick?

A. No, I did not mean to say that.

Q. Where have you seen him, and when?

A. I have already said, I do not know him; I might have seen him, and not have known him.

Q. Have you ever seen Mr. Ludowick, or not?

A. I cannot tell, as not knowing his person.

Q. About what time was it that this Commissariat appointment began to be in negociation?

A. I cannot remember, but the papers will date it exactly.

Q. What year? A. Last year.

A. Can you recollect what part of last year? A. No, I cannot.

Q. What kind of papers are those you allude to; are they letters?

A. I do not know what they are.

Q. Do you mean to say, that you do not know at all what kind of papers they are?

A. They are papers written on.

Q. Are they letters or securities?

A. They shew what they are; I cannot exactly speak to them; I will give them to Mr. Wardle to-morrow.

Q. You have said, that those papers will inform the Committee of all the particulars of this transaction; how can you say that, if you do not know what those papers are?

A. Because I do not know how to describe them exactly.

Q. Do you recollect their contents?

A. No, I do not; but I know there are a great many letters from Mr. Maltby, and something about the bankers; enough to shew the whole of the transaction.

(By Sir Robert Williams.)

Q. Do you recollect to have stated to Captain Donovan, that if His Royal Highness the Duke of York was informed of your ever having received any money, it would be your ruin?

A. Never to any person whatever.

Q. Through what channel, or by whose influence, did you propose to Mr. Ludowick, or the agent employed by Mr. Ludowick, to procure the situation that he required?

A. Mr. Barber will recollect that; and he is a very honourable man, and will speak to the truth, and I believe he knows the parties.

(By Mr. Sheridan.)

Q. Who was the person whom you held out yourself as having such influence over, as that by that influence you could procure the situation desired by Mr. Ludowick?

A. I do not think that any one was held out, I fancy they guessed the Duke of York, but no one was held out; and I think it is very likely that Mr. Donovan supposed the Duke of Portland; but I mean here to say, that he is not at all connected. And the Office that Mr. Wardle mentioned in the City I know nothing at all about; I was very

sorry to see that Mr. Wardle had mentioned such a thing, because every one who knows the Lord Chancellor, must know that, besides being one of the highest, he is one of the most honorable men in England; and if there are any insinuations about the Duke of Portland, Mr. Maltby is the Duke of Portland—He is my Duke of Portland: I mean entirely to clear myself from holding out any insinuations against the Duke's character. Mr. Wardle accused me once of going into the Duke of Portland's, and that he had watched me in; I told him I was not in the habit of going in there, and I laughed at him; and afterwards somebody told him it was Mrs. Gibbs; more likely Mrs. Gibbs than me. I wish to do away the two stories of Mr. Mellish and the Duke of Portland before the Honourable Gentlemen.

Q. Am I to understand you, you never did give out to any person, that you had access to or influence with the Duke of Portland?

A. No, I did not; I fancy that once I laughed very much about some sort of birds, with Mr. Donovan; but I mean to say, I never did use his name.

(By the Attorney General.)

Q. How long have you known Mr. Lawson?

A. About four months, or five months.

Q. Who introduced Mr. Lawson to you?

A. He is a piano-forte maker.

Q. What office has he been soliciting?

A. I do not recollect; I cannot tell what; it is something that Mr. Donovan has been concerned in as well; something at Savannah la Mar.

Q. What appointment did you solicit for Mr. Lawson?

A. One of those places; there are a number of them; but Mr. *Maltby can* speak to it; I fancy he has been lodging money lately in this very short time, within a fortnight, perhaps.

Q. Where?

A. I do not know, but Mr. Maltby knows; it is some concern

Q. What makes you think he has deposited a sum of within this last fortnight?

A. Because he told me going to do it.

Q. When did he tell you

A. About a fortnight since

Q. Where did you see him he told you so?

A. At my own house.

Q. With whom did he say going to deposit it?

A. He did not say with but Mr. Maltby had some these men, who had to be co in it, and he was to lodge it bankers.

Q. With whose bankers?

A. Mr. Maltby's, I suppose

Q. How long have you Mr. Sandon?

A. Ever since Colonel I Levy.

Q. Was that the first kn you had of him?

A. If he did not come ab lonel French's Levy, he cam some other appointments; I rather think he brought me officers for appointments, in the levy first.

Q. Did he come to you tarily, or did you send for h

A. I could not send for h he gave Mr. Corri 200*l.* fo troduction, him and Colonel

Q. Was that before Capt nyn's recommendation? A.

Q. How much had Mr. out of the money paid by Tonyn?

A. I never inquired.

Q. He had no part of the f dred guineas, had he?

A. No; I should not won what he had eight or nine fro tain Tonyn, it was somethi

than the five, or else Mr. Donovan had.

Q. He got more than you did by that transaction, then?

A. No, not that; I state it at eight or nine, and he gave me five; but I do not know that he had that.

Q. What makes you think that he had it?

A. I think he must have had something, or he would not have troubled himself in the business.

Q. What do you suppose he had about Colonel French's levy?

A. Colonel French told me that he stole half.

Q. You stated in your examination yesterday, that you were at the opera with a Lord Lenox and some other gentleman; how long have you known Lord Lenox?

A. I never knew him at all.

Q. I understood you to have stated in your examination yesterday, that you were at the play or the opera with Lord Lenox and Sir Robert Peat?

A. I said I was along with Sir Robert Peat, and an old gentleman came in with this Mr. Williams, and they said that was Lord Lennox and Mr. Williams. Sir Robert Peat said that.

Q. You mean to say you did not know this Lord Lenox before you saw him at the play that night?

A. No; I had seen him driving about town, and knew it was the man they called Lord Lenox, but never spoke to him before.

Q. Are you positive you never spoke to him before?

A. Quite.

[*The witness was directed to withdraw.*]

(Mr. Wardle *was then examined by* Mr. Perceval.)

Q. Did you ever reproach the last witness with going to the Duke of Portland?

A. I had heard that she had been there; and I wondered what she could be doing there; so far I did reproach her.

Q. Who told you that she had been at the Duke of Portland's?

A. I heard it at the office I mentioned in the City; a person described her person, and they said there was a tide-waiter's place to be sold, they believed; but they were not certain; it depended on an application then making by a lady to the Duke of Portland. I went again in a few days; they described a person excessively like Mrs. Clarke, and when I saw her I questioned her about it, and said if it was so, she was doing very wrong.

Q. Do you know Mr. Maltby?

A. I have seen him once, I think, at Mrs. Clarke's.

Q. Did you ever endeavour to trace the transactions carrying on by Mr. Maltby?

A. I did in some measure; but I could not at all succeed; he would not commit himself at all to me; I endeavoured to catch him upon one point, but he would not open to me at all.

Q. Were you aware that the witness was employing Mr. Maltby in these transactions?

A. I merely understood from her that he was employed in one business, which I endeavoured to find out, but I endeavoured in vain; I could not get him to open at all.

Q. Did she state to you that it was a business in which she was concerned?

A. No, she did not; she merely mentioned that he was about business, I forget the name now, I was excessively anxious to find it out.

Q. Did she ever mention to you the business respecting Mr. Ludowick?

A. I do not know that ever she did; I do not know the name at all, but I really think she said that he was in the habits of doing it for a number of persons; one case she mentioned, and I endeavoured to sift it to the bottom.

Q. Did she ever shew you these papers she has referred to?

A. No, she did not; I think I saw one or two notes to her about the thing I endeavoured to find out, but it has escaped me what it was; it is several weeks ago, and I have had so much upon my mind, that after an attempt or two, it is impossible to recal it.

(COLONEL GORDON *was called in, and examined by the* COMMITTEE, *as follows:*)

Q. Have you brought with you the official documents respecting the appointment of Major Tonyn?

A. Yes, I have.

Q. State to the Committee what you know upon that subject.

A. I hold in my hand the first recommendation upon the subject of Captain Tonyn—Major Tonyn with the permission of the Committe, I will read it.

[Colonel Gordon read a letter, signed Patrick Tonyn, dated the 27th of June, 1803.]

"May it please your Royal Highness.

"Sir,

"In the present period of extension of his Majesty's forces, I beg leave to recommend the 48th regiment to your Royal Highness's consideration.

"I hope it will not be thought I presume too far to say, Captain Tonyn for some time past has commanded the 48th at Malta; and with great submission, I likewise venture to mention Lieutenant Tonyn: and I most humbly petition your Royal Highness, graciously to condescend, to grant my sons your royal protection.

"With most profound and dutiful respect, I have the honour to remain, with all submission,

Sir,

Your Royal Highness's most devoted servant,

PAT. TONYN.

118, Park-street, 27th June, 1803.

Indorsed:

"London, 27 June, 1803.

GENERAL TONYN."

"Promoted to a Majority in the 31st regiment, upon the formation of a second battalion, in Aug. 04.—Without purchase."

(Inclosure.)

"H. R. H. will be glad to consider the general's two sons on favourable opportunities for promoting them."

Q. General Tonyn was an old officer?

A. One of the oldest officers, I believe, at that time in the army. The answer to that letter is dated the 29th of June, 1803.

[Colonel Gordon read it.]

"Sir, "Horse Guards, 29th June, 1803.

"I have to acknowledge the receipt of your letter of the 27th instant, recommending to me your sons, Captain Tonyn, and Lieut. Tonyn, of the 48th regiment; and I request you will be assured, that I shall

I shall have much pleasure at a favourable opportunity, to pay every attention in my power to your wishes in their favour.

I am, &c.

" General Tonyn, &c. &c. &c." (Signed) FREDERICK, Commander in Chief."

Indorsed:

" Copy of a letter from H. R. H. the Commander in Chief, to General Tonyn, 29th June, 1803."

The next document upon this subject appears to be a memorial from Captain Tonyn himself.

[Colonel Gordon read it.]

" To his Royal Highness the Duke of York and Albany, Commander in Chief of his Majesty's forces:

" The Memorial of George Augustus Tonyn, captain in his Majesty's 48th regiment of foot,

" Humbly sheweth,

" That your memorialist has been near twenty-four years an officer; fourteen of these on active service with the 48th regiment, on all its various stations, in the West Indies and the Mediterranean.

" That your memorialist, being the senior captain present with the regiment, most humbly implores your Royal Highness's protection; and that your Royal Highness will be pleased to recommend him to his Majesty's royal favour; that his Majesty may be graciously pleased to grant him promotion to the rank of Major, in such manner as your Royal Highness may think fit.

And your memorialist, as in duty bound, will ever pray."

Indorsed:

" Memorial.

" George Augustus Tonyn,
Captain, 48th regiment,
March—1804."

(Inclosure.)

" *C. L.*

" Captain Tonyn to be noted for promotion, and acquainted that his R. H. will be glad to consider him on a favourable opportunity.

J. G."

This Memorial is without date, but it was received in March 1804. The answer to that Memorial I hold in my hand.

[Colonel Gordon read it.]

" Sir, " Horse Guards, 15th March, 1804.

" I have the honour, by the Commander in Chief's commands, to acknowledge the receipt of your Memorial without a date, and to acquaint you in reply, that your name has been noted for promotion;

and

and his Royal Highness will be glad to consider you on a favourable opportunity.

" Capt. Tonyn, 48 foot, 118, Park-street." I have, &c. (Signed) W. H. CLINTON."

Indorsed:

" Copy of Lt. Col. Clinton's letter to Capt. Tonyn, of the 15th March, 1804.

The document I hold in my hand relates to the promotion of Lieut. Tonyn, alluded to in the first letter of General Tonyn: it remains with the Committee to decide whether that is to be read.

Q. Was not General Tonyn colonel of the regiment at the time he made the application in favour of his sons?

A. Yes, he was. These are all the documents that I have, with respect to Major Tonyn. It appears, that in the month of August, 1804, a very large augmentation was made to the army, consisting of no less than fifty battalions; in the formation of those battalions I received the orders of the Commander in Chief to prepare a list of the senior officers of the army, generally, of each rank, and to take their names from the book of recommendations, where they had been noted. In consequence of this command, I did prepare a list, and submitted it to the Commander in Chief; and, in that list, in the same list with Major Tonyn's name, there were fifty-three officers appointed to majorities; namely, eleven majors removed from other corps, or from the half-pay; thirteen brevet majors; twenty-nine captains. Of those captains seven were captains of the year 1794, nine were captains of the year 1795 (amongst them was Captain Tonyn), five were captains of the year 1796, seven of the year 1797, and one of the year 1799. I have mentioned that Captain Tonyn was a captain of 1795, there were only six captains in that year senior to him in the service. That is all I know on the subject of Captain Tonyn's promotion.

Q. It appears that in the letter of General Tonyn he recommends two of his sons; can you state any thing with reference to the other son?

Q. On the 30th of May, 1804, General Tonyn writes again:

[Colonel Gordon read the letter.]

" Sir,

" I have the honour to transmit a letter from Captain Long of the 48th, requesting his Royal Highness, the Commander in Chief's permission to sell his company, having purchased. I humbly beg leave to recommend Lieutenant Charles William Tonyn to his Royal Highness the Duke of York's favourable representation to his Majesty; humbly praying, that he may be graciously pleased to grant him leave to purchase Captain Long's company, the money being lodged with the agent for the same; as all the officers standing before him in the corps have declined the purchase.

" Give me leave, Sir, to beg the favour of your good offices in behalf of my son, whose declaration I have the honour herewith to inclose, and that you will have the goodness to implore for him his Royal Highness's

Highness's gracious protection. I have the honour to remain, with all respect,

Sir,
Your most obedient,
and most humble servant,
PAT. TONYN.
118, Park-street, 30th May, 1804."

Indorsed:
"48th Foot.
Lt. Tonyn.
Mem. 2d June, 1804."

(Inclosure 1.)

"Sir, "Mallow, 15th May, 1804.

"Circumstances of a peculiar nature having lately occurred, that oblige me to retire from the service, I have sent in a Memorial to the Commander in Chief, to be allowed to sell my commission at the regulated price. I take the liberty of informing you, as early as possible, of my intentions, as I have been given to understand your son would succeed to the promotion by purchase. Should that be the case, if you'll have the goodness to lodge the money in the hands of Mr. Gilpin, the agent, and give me the earliest information, in order that the business may be forwarded with as little delay as possible, you will ever oblige,

Sir,
Your very obedient humble servant,
E. S. LONG, Capt. 48th regt."

"General Tonyn,
118, Park-street, near Hyde-Park, London."

Indorsed:
"Capt. Long.
48th regiment
15th May, 1804,
R - - 23d May."

"All officers concerned have declined purchasing."

(Inclosure 2.)

"Sir,

"I beg you will be pleased to obtain for me, his Majesty's permission to purchase Captain Long's company in the 48th regiment of foot.

"In case his Majesty shall be graciously pleased to permit me to purchase the same, I do declare and certify, upon the word and honour of an officer and a gentleman, that I will not, now, or at any future time, give by any means or in any shape whatever, directly or indirectly, any more than the sum of 1500*l.* being the full value of the

said

said commission, as the same is limited and fixed by his Majesty's regulation.

I have the honour to be,
Sir,
Your most obedient and most humble servant,
E. W. TONYN,
Lt. 48th regt."

"To the Colonel or Commanding Officer
of 48th regiment."

"I beg leave to recommend the above; and I verily believe the established regulation, in regard to price, is intended to be strictly complied with; and that no clandestine bargain subsists between the parties concerned.

PAT. TONYN.
General and Colonel.
30th May, 1804."

The inclosure is the letter from the young man himself.

Q. Did all the officers who were promoted at the time Major Tonyn was promoted, receive their promotion into the new corps without purchase?

A. Into the new corps, most certainly.

Q. All the new captains, those that were promoted into the augmentation of the army? A. Yes.

Q. Did many of them appear in the same Gazette with Major Tonyn?

A. I have stated that there were fifty-three field officers in the same Gazette, and I should imagine, without counting them, there could not be less than two hundred officers altogether; the paper is now in my hand.

Q. At the time this great augmentation took place, and lists of officers were preparing in the office of the Commander in Chief, were those lists a secret, or was it in any one's power, on referring to the clerks, to see those lists?

A. I endeavour to keep those things as secret as I possibly can, but in so large a promotion, it is impossible for me to say the secret was exactly kept.

Q. Previous to the gazetting of those commissions which have been alluded to, when the list was completed, or nearly completed, was it possible to keep the secret so far, as to prevent the contents of those lists being more or less known

A. I do not think it was.

Q. Give the Committee some account of the purchase and sales of commissions in the army, the manner in which that business is transacted, and in whose hands the purchase-money is lodged.

A. I have already stated to the House, and it is in evidence before the Committee, that the same rules apply to the promotion of officers by purchase, as without; but in order to ensure the greatest possible regularity, every regiment in the service is ordered to transmit a return quarterly, of the number of officers in each regiment disposed to purchase, and to mention in such return where the purchase-money is to be had; those returns are entered in a book in the Commander in Chief's Office, and in the event of a vacancy those returns are invariably referred to, and the officer senior upon the list, if in all respects eligible, is invariably recommended, provided it does not interfere with other officers of greater pretensions.

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comes necessary to place a more efficient officer in his stead. It is not possible for his Majesty to increase the establishment of the army at his pleasure, by appointing two lieutenant-colonels where only one is fixed upon the establishment; nor is it consistent with justice to place an old officer upon the half-pay, or deprive him altogether of his commission; there is therefore no alternative but to allow him to retire, receiving a certain compensation for his former services; what that compensation should be, has been awarded upon due consideration, by a board of general officers, that sat, I think, forty or fifty years ago, somewhere about 1762 or 1763; they taking into consideration the rank, and the pay of each rank, awarded a certain sum that each officer, who was allowed to retire, should receive upon retiring; that sum is called "the regulation price of commissions." The bearing that this has upon the army, is a very extensive question, but there can be no doubt that it is extremely advantageous for those officers who cannot purchase. I cannot better illustrate it to the Committee, than by stating an example: We will suppose, of the first regiment the third captain cannot purchase; the first and second can: if those two officers could not purchase, it is very evident that the third captain would remain much longer third captain, than if they were removed out of his way by purchase in the great body of the army; and if no officer can be allowed to purchase, unless he is duly qualified for promotion without purchase, there cannot possibly be any objection to such regulation, nor can it be said that any unexperienced officer is appointed by purchase over the heads of others better qualified than himself, no officer being allowed to purchase, but such as is duly qualified by his Majesty's regulations.

Q. Upon the whole, you consider the present mode in which purchases

and sales of commissions is limited, as advantageous to the service?

A. As a matter of opinion, I certainly do.

Q. You have stated, upon the former examinations, the manner in which the business is transacted at the Duke of York's Office; in the course of your transacting business with the Duke of York, in regard to forming lists of commissions for the approbation of his Majesty, do you ever remember the Duke of York taking a paper-memorandum, or a list of officers out of his pocket, and putting it into your hand, with an intimation that that list was to be considered out of the usual course?

A. I never recollect any such instance: I take this opportunity of stating, that since I have had the honour of serving his Royal Highness the Duke of York, I have stated it often before, I never recollect any one solitary instance, in which the Commander in Chief has ever taken any paper out of his pocket, and put into my hands, saying, "This man must be an ensign, this a lieutenant, and this a captain;" but all recommendations have come regularly through their proper channel, and I do not think there is any one instance to the contrary.

Q. In the first document you gave in, the former night, with respect to Captain Maling, there is marked in the printed paper, in italics, the initials *C. L.* with the words "agreed to;" what is the meaning of those letters *C. L.*?

A. My first assistant is Colonel Loraine, *C. L.* are the initials of his name, and "agreed to," is put, and it then passes into his hands, and is acted upon.

Q. Is the entry marked with the initials *C. L.* the definitive entry with respect to any recommendation that comes before you?

A. No, it is not.

Q. If any alteration takes place afterwards, in what way is that noted?

A. It is commonly note same manner upon the sam

Q. With the same initial

A. When the initials are there is no occasion to again, the paper invariabl through the same channel.

Q. Is it usual when a reco tion is delayed in the office of sufficient information, bu finitely stopped, to mark th same way with these initials

A. I commonly put a men upon every paper that pas my hands.

Q. How would you m commendation in that predi

A. If the paper was to dered, I should say so: "t sidered."

Q. If further inquiries w made, what would you say

A. I should probably say considered;" or very probab not be acceded to." It i impossible for me to state th terms: I should adopt them to circumstances.

Q. Would you state, "n acceded to," when it was mined that the recomm should not be acceded to, delayed, while further inqui making?

A. If the paper was not ceded to, I should say, "n acceded to;" but it does n that though it was not ac then, it might not be in afterwards, or three weeks af

Q. If the only reason fo ceding to the recommen that time, was the want of tion, and that inquiries wer to obtain that information, w mark "not acceded to?"

A. I really might or migh seems to me, as I conce matter of perfect indifferenc

Q. How are the first co in the army commonly dis the first commission that receives?

A. I

A. Invariably without purchase, unless for some special purpose.

Q. Are those first commissions in the patronage of the Commander in Chief?

A. Yes they are, exclusively.

Q. You have stated that officers purchased according to their seniority, unless there were superior pretensions; do you mean in junior officers; will you explain what you mean by that?

A. Suppose there was a vacant company in a regiment, and a lieutenant in that regiment was willing to purchase, it does not quite follow that the Commander in Chief would permit that lieutenant to purchase, although he might be very eligible, because there might be other officers still more deserving than him in the army.

Q. Do those circumstances in point of fact frequently happen?

A. Continually.

Q. Within these late years have not a vast number of commissions been given to the officers of the militia, both in Great Britain and Ireland?

A. Yes; to a very considerable extent.

Q. What is the practice of the Commander in Chief's Office; when an application is made, by any gentleman either in Great Britain or Ireland, by memorial or otherwise, for a commission for his son or relation?

A. It is the practice in the Commander in Chief's Office to answer every paper that comes in, without exception. When any officer, or any gentleman makes an application for an ensigncy, that application is invariably answered, and the common answer is, "that the name of the applicant is noted, and will be considered as favourable opportunities offer;" the name is then put down in a book, and the letter is put by.

Q. Is it the practice in the Commander in Chief's Office, particularly when applications come from Ireland, to refer those applications to the general officer commanding in the district from which they may have come?

A. The applications from Ireland are not considered regular, unless they come through the officer commanding the forces there, or through the civil channel of the Secretary of State.

Q. Amongst the documents that you have given in, with respect to Major Tonyn, is there a document similar to that just alluded to, indorsed *C. L.* "agreed to," or any thing of that kind?

[Colonel Gordon referred to the document.]

"*C. L.*"

"State Captain Long's services.

Ens.	Liverpool Regt.	2d Oct. 1795	Orig'l.
Lieut.	65th	6th Jan. 1796	by P.
Lieut.	18 Drag.	31st Jan. 1799	by Exc.
Capt.		9th Mar. 1803	by P.
——	48th	10th Sept. 1803	by Exc."

A. It amounts to the same thing; it is a slip of paper. This was the mode of transacting business by my predecessor: I generally do it upon the corner of the letter; I think it better, because this is liable to be lost, that would not.

Q. Do you mean that commissions in new-raised regiments are always given away, or that ensigncies are always given away?

A. The answer that I gave to the former question, I mean to stand exactly as it does; and I beg to explain, that there is no such thing as original commissions purchased; there are

many ensigns commissions for sale, but they are private property, arising out of the explanation that I gave to a former question: for example, a captain sells his commission, that is, he sells his company; a lieutenant buys that company; an ensign buys that lieutenancy; both of which are the captain's property; the ensigncy then becomes vacant of course, by purchase.

Q. In point of fact, was the application of General Tonyn, in regard to his second son, successful?

A. I think it will be found on reference to the document, that the services of the second son of General Tonyn were not so long as those of the eldest son; and the General recommended the second son for purchase; and that he actually was promoted, I believe it will be found on reference to the dates, before the eldest son.

Q. You have stated, that when this large promotion took place, in consequence of the augmentation of the army, you were directed by his Royal Highness to lay before him a list of officers to be promoted into this augmentation, to be taken from the oldest officers of their respective ranks in the army; are you quite sure that the name of Captain Tonyn was included by you in the list you laid before the Commander in Chief, or was his name suggested as addition and alteration in that list by the Commander in Chief?

A. I recollect perfectly well the circumstances of that levy; it was at a period of the Additional Force Act; and the names, upon the list which I submitted to the Commander in Chief, I really believe, were written, almost without exception, with my own hand. I had one assistant to assist me in making out the list; but I really believe, that the rough paper was actually written with my own hand.

Q. Do you answer, that you are certain you included Captain Tonyn's name in the list you submitted to the Commander in Chief, as being one of the oldest officers in the army in that class for promotion?

A. As certain as I can be of a thing that I could not possibly take my oath of.

Q. To the best of your recollection?

A. O, certainly.

Q. If the name of Captain Tonyn had been introduced by the Commander in Chief, having been omitted by yourself, would not you have recollected that circumstance?

A. Yes, I think I should; it is in evidence before the Committee, on my first examination, I believe.

Q. Do you not put a mark upon all papers, upon which any thing is done, or to be done.

A. It is my constant practice to make a mark upon every paper, without exception, that comes into that office: I mean to say that generally; many papers may escape me, but that is my general practice.

Q. According to what is done, or to be done?

A. What is to be done.

Q. State whether the Commander in Chief has not been in the habit of attending to recommendations by colonels of regiments for ensigncies in their particular regiments, provided the gentlemen recommended were certified to be eligible and fit for service, and ready to join their regiments?

A. Yes, certainly; but in giving my evidence before this House, I think it my duty to state, that the Commander in Chief does not consider that the patronage of the regiment in any manner whatever devolves upon the colonel.

[*The witness was directed to withdraw.*]

The Chairman was directed to report progress, and ask leave to sit again on Monday, which was agreed to. The House adjourned at *Three o'clock.*

SIXTH

SIXTH DAY.

MONDAY, FEBRUARY 13, 1809.

On the motion of MR. WARDLE, the House went into a Committee to pursue the investigation of the conduct of His Royal Highness the Duke of York.

(*The first witness called in was* MR. ROWLAND MALTBY, *who was examined by* MR. PERCEVAL.)

Q. Where do you live?

A. At Fishmonger's Hall.

Q. What is your profession?

A. A Solicitor.

Q. Are you acquainted with Mrs. Clarke? A. I am.

Q. How long have you been acquainted with her?

A. I think about July or August, 1806. If you will give me leave, I will state the way in which I became acquainted with her: it was through the medium of Mr. Russell Manners, who was a member of the last parliament; he married a sister of my wife's; he told me that he had been introduced to Mrs. Clarke, who had professed an interest in him, and that she would endeavor to get a place for him through the means of the Duke of York, and he wished to introduce me to her. Under those circumstances I did not know how to refuse him, and I accordingly met her at his house. I believe I saw Mrs. Clarke perhaps five or six times in the course of that year; afterwards I did not see her again till a Court Martial for the trial of Capt. Thompson.

Q. In the year 1806, when you saw Mrs. Clarke, what business did you transact with her; what passed between you and her on the occasion of your being introduced?

A. No business, only a common acquaintance.

Q. Did you hear any more on the subject of the place she was to procure for Mr. Manners?

A. I understood that she shewed Mr. Manners a letter, stating that the Duke was inclined, or would comply with her request. I speak merely from memory, as it did not interest me.

Q. Did you see that letter?

A. I am not quite certain about it, whether I did or not, but I remember the contents.

Q. Do you remember from whom that letter purported to be received?

A. It purported, as Mr. Manners told me, for I am not certain whether I saw that letter, to come from the Duke of York.

Q. At what time of the year 1806 did you hear of or see that letter?

A. I think it was very soon after I saw her, July or August, to the best of my recollection.

Q. Did you hear from Mrs. Clarke at what time her connection with the Duke of York broke off?

A. No, I do not think she ever mentioned any thing on the subject to me. I was led to believe it continued, from what she said to me in conversation.

Q. In

Q. In July and August she still represented to you that her influence over the Duke of York continued?

A. I understood from her that the connection was not entirely broken off, that she occasionally saw the Duke.

Q. Did you, in the course of the year 1806, hear from her any thing respecting the obtaining of any places for any body?

A. Not to my recollection.

Q. I understand you to have said, that from the year 1806 to the year 1808, you did not see any thing more of her?

A. To the best of my recollection, not till the court-martial in April.

Q. Have you, since that time, had any communication with Mrs. Clarke, upon the subject of obtaining places for any one? A. Yes.

Q. When?

A. I will explain: as a reason for my keeping up a connection with Mrs. Clarke, Mr. Manners had a regimental account to settle as the son of General Manners, which was likely to be procured through the medium of the Duke of York; it was necessary to have a board of general officers in order to settle that account; Mr. Manners was indebted to me for sums of money I had occasionally advanced him to accommodate him, and I had an assignment of this debt, which amounted to about 1,000*l.* or 1,200*l.* of Mr. Manners, for the purpose of repaying me; therefore I felt a little interested in getting the accounts settled, if I could. With respect to the question asked me, I had a communication with Mrs. Clarke respecting a Mr. Ludowick.

Q. When?

A. I think it was in September last; the latter end of August or September, to the best of my recollection.

Q. What was the nature of the communication respecting Mr. Ludowick, and the circumstances of it?

A. The circumstances were, that Mr. Ludowick wished to have some place or appointment, and Mrs. Clarke asked me, I believe, w I knew of any such place: I sai I would make some inquiry; learnt that it was possible th place of Assistant Commissary be obtained: the consequence that money was deposited fo place, and I was led to believe might be effected; however it and never took effect.

Q. What is become of the that was deposited, and in hands was it deposited?

A. The money was deposit the hands of Birch and Co. in street; the money is there now.

Q. In whose name was it sited?

A. Part of it was deposited name, I think, of a Mr. Lloyd Mr. Barber; another part of it w posited in my name, and in the of Mr. Barber.

Q. To whom was the money paid, in the event of the appli for the place succeeding?

A. There was 600*l.* deposit the name of Messrs. Lloyd and ber, I believe that would go in hands of Mr. Lloyd; Mr. Barbe a friend of Mr. Ludowick's, ar money was only to be taken o the event of the appointment t place; the other 157*l.* I think was the sum, would have through my hands, and I should paid it over to the person with I communicated.

Q. With whom was it that communicated?

A. With an agent, who was a tomed to make inquiries of that may I be excused naming him?

[Mr. Perceval replied: cer not.]

A. His name was Tyndale.

Q. Where does Mr. Tyndale

A. He lives in Symonds-build Chelsea, or Symonds-street.

Q. Who is Mr. Lloyd?

A. Mr. Lloyd, I do not kno believe he is an attorney.

Q. How came Mr. Lloyd to t titled to so large a share of this

A. I understood that the agent would have a handsome emolument from it, which was 157*l.*

Q. But the 157*l.* was deposited in your name and Mr. Barber's?

A. It was.

Q. Then that 157*l.* was to go to the agent Mr. Tyndale? A. Yes.

Q. I now inquire as to the 600*l.*; who was to have the benefit of that?

A. Mr. Lloyd would have received that, I presume; I do not know of my own knowledge.

Q. You do not know what Mr. Lloyd was to do with it, whether he was to keep it?

A. No; I had no communication with Mr. Lloyd, or any one, upon that subject.

Q. Who introduced Mr. Ludowick to you?

A. Mrs. Clarke mentioned Mr. Ludowick to me; I never saw him; I mean introduced by name, not personally.

Q. Are you quite certain you never saw Mr. Ludowick?

A. Never, to my knowledge.

Q. Did Mrs. Clarke tell you how she became acquainted with Mr. Ludowick?

A. Upon recollection, I am not certain whether she said he was an acquaintance of her's, or an acquaintance of Mr. Barber's; but I understood from her conversation that she knew Mr. Ludowick, that she had seen him; she said, he was a very genteel man, and very fit for the place, very much of a gentleman, and a man of property.

Q. Did she state where he lived?

A. I think she said he lived in Essex.

Q. Do you recollect what part?

A. I am not certain whether she said Grays in Essex, that is only her relation; I think that she said Grays.

Q. Is Mrs. Clarke acquainted with Mr. Tyndale? A. No.

Q. Was she acquainted with Mr. Barber? A. Yes.

Q. Was she acquainted with Mr. Lloyd? A. I do not think she is.

Q. Who introduced Mr. Lloyd into this business? A. Mr. Tyndale.

Q. Who introduced Mr. Tyndale into it?

A. I introduced Mr. Tyndale into it, by making the inquiry.

Q. What share was Mrs. Clarke to have in the benefit to be derived from procuring this place?

A. Nothing.

Q. Nothing at all?

A. No, nothing.

Q. What share were you to have for the procuring this place?

A. Nothing; I did not mean to take any thing.

Q. You and Mrs. Clarke only did it for your pleasure?

A. Mr. Ludowick was a friend of Mrs. Clarke's, and I wished to oblige Mrs. Clarke by introducing this thing, if I could.

Q. How came Mrs. Clarke to apply to you to assist her in procuring this place?

A. I believe from my calling upon her.

Q. How came you to call upon her?

A. I called upon her sometimes; she wrote to me, and I wished to keep up an acquaintance with her for the purpose of effecting the object of the account.

Q. How came you to think that at this time Mrs. Clarke could help you in effectuating the object of the account? A. I did think so.

Q. Through whom?

A. From her; I thought that she still had an influence or some communication with the Duke.

Q. Did she so represent herself to you? A. Yes.

Q. At what time?

A. She so represented herself to me when we were down at the Court Martial, and since that time.

Q. At the time of the Court Martial, and since that time, she represented to you that she still had influence over the Duke of York to procure things to be done?

A. Yes, I understood that the connection

nection was not entirely at an end, that she had still a connection or an interest with him.

Q. Was this the first instance of your assisting her in procuring a place for her friend?

A. Yes, I think it was; I do not recollect any thing else.

Q. Is there any other instance in which you have been so employed?

A. Nothing effected at least.

Q. This was not effected; was there any thing else in which an attempt was made?

A. Yes; she asked me whether a paymastership could be procured for a friend of her's.

Q. Who was that friend?

A. It was a Mr. Williams.

Q. Where does he live?

A. I understood he lived in Devonshire.

Q. Did you endeavour to procure that paymastership for Mr. Williams?

A. I made inquiry, and understood that it might be effected; but nothing was done in it.

Q. Of whom did you inquire?

A. Of the same person.

Q. Of Mr. Tyndale? A. Yes.

Q. Through whom was Mr. Tyndale to procure this paymastership; did he tell you? A. No.

Q. Was there any money deposited upon that occasion? A. Nothing.

Q. Was there any other instance in which you were applied to by Mrs. Clarke?

A. (*After much hesitation*) Yes, in the same way, but nothing done.

Q. On whose behalf was that?

A. That was Mr. Thompson, who was connected with her.

Q. When was that?

A. I think it was in August.

Q. Was that before Mr. Williams?

A. Yes.

Q. And before Mr. Ludowick's?

A. Yes.

Q. I thought you stated, that there had been no instance of your applying for any body before Mr. Ludowick; I misunderstood you, I suppose?

A. Yes; I did not mean to say there was no instance of an application before I mentioned that, as being the thing the most likely to be effected.

Q. About what time was Mr. Williams's?

A. I think that Mr. Williams's was during the same period that she mentioned it to me; I think about the time of Mr. Ludowick's.

Q. Was any money deposited upon that occasion? A. No.

Q. What office was he to obtain?

A. He was to have a paymastership, as she represented to me.

Q. What did Thompson want?

A. To go into the Militia.

Q. Did you make any inquiries upon that?

A. Yes, I did.

Q. Of whom did you inquire upon that?

A. The same person, Mr. Tyndale.

Q. Do you recollect the name of any other person for whom you were to make inquiries?

A. (*After much hesitation*) I think there was a Mr. Lawson.

Q. What office was he to obtain?

A. He wished to obtain a place in the Custom House, land waiter.

Q. Did you make any inquiries respecting him?

A. Yes, I did; I made inquiries of the same person, but nothing was effected.

Q. Was there any money deposited upon that occasion? A. None.

Q. Did Mrs. Clarke recommend all these persons to you? A. Yes.

Q. Is there any other person whom you can recollect?

A. (*After some hesitation*) No, I do not immediately recollect any person besides.

Q. I think you stated that there was no money deposited, except in the case of Ludowick; was there an agreement for the deposit or payment of money in the other cases, in the event of the application succeeding?

A. In the event of the application succeeding in the case of Mr. Thompson, some remuneration was intended to be made.

Q. What

Q. What?

A. I think it was about 250*l.*

Q. For the commission in the Militia? A. Yes.

Q. Who was to have that 250*l.*?

A. I do not know, I am sure.

Q. Did not you negociate with Mr. Tyndale?

A. I asked Mr. Tyndale about it, and he said he thought he could procure it.

Q. For 250*l.*? A. Yes.

Q. Was not it at all mentioned in that conversation, who was to have the benefit of the 250*l.*?

A. No, I did not ask any questions of Mr. Tyndale, I thought it indelicate to ask questions.

Q. You were to have nothing for any of these transactions? A. No.

Q. Nor Mrs. Clarke?

A. Nor Mrs. Clarke; Mr. Thompson was her brother, I think.

Q. In the other cases, of Mr. Lawson and Mr. Williams, was she to have nothing in those cases?

A. I do not know that she was, I am pretty sure that she was not.

Q. Are you serious in saying that she was to have nothing for those?

A. Yes.

Q. Do you know any person that she calls the Duke of Portland in these transactions? A. No.

Q. You never heard her say, that she dignified you by the name of *her Duke of Portland?*

A. Never, till I heard it by accident.

Q. What accident led you to hear that?

A. I was coming into the City one day, I met Sir George Hill, with whom I have the honour of being acquainted, and he told me the circumstance.

Q. Of her having mentioned it here?

A. Yes, I did not hear of it before, and had no idea of the circumstance.

Q. Was Ludowick recommended for any other place besides that of Assistant Commissary?

A. When that failed he *wished to* have a paymastership in lieu of it, rather than give up the money; I understood that from Mrs. Clarke, but it did not turn out to be the case.

Q. How long is it since you have given up all hopes of succeeding for Mr. Ludowick?

A. I believe a month or two.

Q. How happens it that the money still remains in Mr. Birch's bank?

A. Because they have not asked to have it back again, I know of no other reason; they might have it back whenever they pleased; I told Mrs. Clarke some time ago, they had better take the money back, that there was not a likelihood of it being effected.

Q. Did you ever acquaint Mr. Ludowick with that circumstance?

A. I never spoke to him.

Q. Had you any communication with Mr. Lloyd yourself? A. No.

Q. Are you at all acquainted with Messrs. Coleman and Keyler?

A. No, not at all.

Q. Do you recollect the christian name of the Mr. Williams whom you spoke of? A. No, I do not.

Q. Did you ever see him?

A. Not to my knowledge.

Q. Do you happen to know whether it is the same Mr. Williams who appeared in this House a few nights ago?

A. I never saw that gentleman, but I have no reason to think so; because I understood he lived in Devonshire, and was a respectable man.

(*By* General Loftus.)

Q. Do you know whether Mr. Tyndale was originally an ensign in the 17th foot, and afterwards a cornet in the 17th light dragoons?

A. I understood that he had been in the army; but I do not know in what regiment.

Q. Did you ever understand from any person that Sir Arthur Wellesley's being engaged at Chelsea was the reason that this business of Ludowick's did not succeed?

A. No; I understood from Mr. Tyndale,

Tyndale, that the trial at Chelsea occupied the public attention so much, that it stood in the way of the appointment.

Q. Then you never did hear from any of the parties Sir Arthur Wellesley's name mentioned? A. No.

(*By* Mr. Wardle.)

Q. Up to what period did Mrs. Clarke represent herself to you as being possessed of influence with the Duke of York sufficient to obtain places?

A. I had reason, from conversations with her, to think that even to the eve of this inquiry, the Duke had not deserted her.

Q. Is that mere supposition, or has she stated to you any thing positively upon that subject since May, 1806?

A. She has said those kind of things to me, that induced me to believe it, such as that the Duke was about providing for her upon a smaller establishment than formerly; and those kind of things which have induced me to think he had not deserted her.

(*By* Mr. Bragge Bathurst.)

Q. Did you yourself suppose you had any influence with the Duke of York? A. Not the least.

Q. Then how do you account for Mrs. Clarke's employing you to solicit favours, which, you say, you understood she was able to obtain herself?

A. I cannot account for that.

Q. Did you ever represent to Mrs. Clarek, that you had any influence with the Duke of Portland?

A. No.

(*By* Mr. Whitbread.)

Q. With whom did you represent yourself to have any influence, so as to induce her to make those applications repeatedly to you?

A. I did not represent myself as *having influence* with any person *whatever.*

Q. With whom did y
stand Tyndale to have
ence?

A. I did not know; I
him any questions.

Q. Then the Commit
understand, that you w
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that place was to be proc

A. I did not know thro
medium it was to be proc

Q. Did you ever mal
tion to Mrs. Clarke upon
subject, except the liq
the debt supposed to be
Manners?

A. I do not recollect t

(*By* Lord Folksto

Q. When did you see
Hill?

A. I saw Sir George
turday, and I saw him
morning.

Q. What rank in the
Mr. Thompson to obtain

A. A captain's commi

Q. In what regiment

A. I do not know the

Q. Mr. Tyndale negc
business?

A. It was not negocia
derstood from Mr. Tyndi
could get it effected, but
ver negociated.

Q. Were you to rece
vantage from any of tho
tions, if they had been
execution?

A. No, I should no
ceived any thing.

Q. What was your mo
dertaking such a negocia

A. It was to oblige M
it was her relation.

Q. Was the negociati
ing Mr. Ludowick to
Clarke?

A. Yes, he was a frien

Q. Are you acquainte
Lloyd? A. No.

Q. Did you ever write a letter to Mr. Lloyd?

A. No, I do not recollect that I ever wrote to Mr. Lloyd; I did not know him; I do not think I could possibly write a letter to him; I am pretty certain I did not, because I had no communication with him whatever.

Q. Are you quite certain you never wrote to Mr. Lloyd?

A. I am certain in my own mind; I should be very much surprised to see a letter of mine to Mr. Lloyd.

Q. Recollect whether you ever did or not write to Mr. Lloyd?

A. I do not recollect that I ever did; I am confident, as far as my memory serves me, that I did not.

Q. Are you certain that you never did?

A. I am as certain of that as I can be of most things.

Q. Did you ever see Mr. Ludowick? A. No.

Q. Who first spoke to you of Mr. Ludowick? A. Mrs. Clarke.

Q. What did Mrs. Clarke know of Mr. Ludowick?

A. I do not know; she spoke to me as if he was a friend of her's, but I do not know what the acquaintance was between them.

Q. You were to procure this situation for Mr. Ludowick?

A. I was not to procure it; but I mentioned it to Mr. Tyndale, who thought he could effect it.

Q. You were employed by Mrs. Clarke to mention Mr. Williams to Mr. Tyndale? A. Yes.

Q. And Mr. Thompson?

A. Not to mention him to him, but I mentioned them to him of my own accord.

Q. She applied to you to procure those situations? A. Yes.

Q. Did you represent yourself as able, by your own influence, to procure those situations?

A. Not the least; I never had such an idea.

Q. Did you ever *tell her you* were to apply to a third person to procure those situations?

A. I do not know that I told her that distinctly; but I said I would inquire, to the best of my recollection, whether such a thing could be obtained.

Q. You are certain of that?

A. I am certain I never represented myself as having any interest to procure any place, not personally.

Q. Are you certain you never told her that you were to apply to another person to procure those appointments?

A. To the best of my recollection, I said I would make inquiry.

Q. Did you ever name Tyndale to Mrs. Clarke?

A. Never, I believe.

Q. Who introduced Tyndale to you?

A. I met Mr. Tyndale frequently at a place where I used to go.

Q. Where was that?

A. It was at a Mr. Robins, in Bartlett's Buildings.

Q. Who was Mr. Robins?

A. He was a Solicitor; I used to see him there when I called occasionally.

Q. Did you ever see Mr. Barber?

A. I saw Mr. Barber once.

Q. Where?

A. I called upon him.

Q. Where?

A. In Union-court.

Q. About this business of Mr. Ludowick's?

A. Yes, about this business, to offer to return him the money.

Q. What was his answer?

A. I think he said he would see Mr. Ludowick; he did not ask for the return of the money.

Q. Do you know what connection subsists between Mr. Barber and Mr. Lloyd?

A. No, I do not know that any connection subsists between them.

Q. You never saw Mr. Lloyd?

A. Not to my knowledge.

Q. Do you recollect now having ever written to Mr. Lloyd?

A. No, I do not.

Q. Are those transactions with respect to Mr. Ludowick, Mr. Thompson, Mr. Williams, and Mr. Lawson, the only transactions of the sort in which you recollect to have been engaged?

A. I do not recollect any others.

Q. Recollect yourself.

A. There have been things mentioned, but nothing done.

Q. Some others have been mentioned?

A. Yes, I think there have.

Q. What are those?

A. I think a place of a clerk in the War Office.

Q. When was that?

A. I believe it was about August, but I am not quite certain.

Q. August last? A. Yes.

Q. Had Mrs. Clarke any thing to do with that?

A. Yes, I believe she asked me about it.

Q. Did you undertake that, at the request of Mrs. Clarke

Q. I made an inquiry.

A. Did you make an inquiry at the request of Mrs. Clarke?

A. I think I did.

Q. Was it or was it not at the request of Mrs. Clarke, that you made that inquiry?

A. I think it was.

Q. Are you sure?

A. I am pretty confident.

Q. Be quite sure.

A. I think so, that it was at her request.

Q. Was it effected?

A. No, it was not.

Q. What were you to receive for that, supposing it had been effected?

A. I should not have received any thing for that.

Q. Was any body to have received any thing for that? A. Yes.

Q. Who?

A. *I do* not know who; it was *never negociated.*

Q. In behalf of whom w place to be procured?

A. I do not recollect the n

Q. What sum was to be g case it was obtained?

A. I think about three c hundred pounds.

Q. To whom did you about that?

A. Mr. Tyndale: I did no any body else that was likel fect this object.

Q. Was it at Mrs. Clark quest that you undertook tha

A. I think it was.

Q. You do not recollect th of the person? A. No.

Q. Do you recollect any transaction?

A. No, I do not recolle other.

Q. There is this clerkshi War Office, this affair of Mr wick, this affair of Mr. W this affair of Mr. Thompson, fair of Mr. Lawson; do yo lect any other? A. No, I d

Q. Are you quite sure th no other transaction of th sort?

A. I do not recollect any

Q. You do not know th was not?

A. No, I do not recoll other.

Q. You are not sure th was no other?

A. My memory may esca but I do not recollect any ot

Q. What was the place you negociated for Mr. Manners, in the year 1806?

A. I did not negociate a for him.

Q. Did not you endeavou tain a place for Mr. Russe ners, through the medium Clarke, in 1806? A. No.

Q. What was your tra with Mrs. Clarke in 1806?

A. I had no transaction w Clarke in 1806.

Q. What was your acqu with her in 1806?

A. It was through the medium of Mr. Manners, who married my wife's sister; I had no acquaintance with her previous to that period.

Q. From 1806 to April, 1808, your acquaintance with Mrs. Clarke dropped, did it not?

A. Yes; I do not think I saw Mrs. Clarke from August or September 1806 till the Court Martial in 1808; I do not recollect that I did.

Q. That Court Martial was held at Colchester?

A. It was held at Weeley, near Colchester.

Q. How soon after that Court Martial did you again see Mrs. Clarke?

A. I do not recollect; I did not know where Mrs. Clarke lived.

Q. Where did she live when you next saw her?

A. If I recollect right, she lived in Holles street; lodged there for a short period.

Q. You do not know in what month that was?

A. No, I cannot speak positively, but I think it was before she went to Bedford-place.

Q. Did you go to her of your own accord, or did she send to you?

A. She wrote me a note, to call upon her; I did not know where she lived.

Q. She stated, I suppose in her letter, where you were to call upon her? A. Yes.

Q. What was the object of her desiring to see you?

A. I do not recollect what she said; I think it was something relative to what passed at the Court Martial, but I do not recollect.

Q. Was it not to obtain some place for Mrs. Clarke, that she sent for you? A. No.

Q. You are positive of that?

A. Yes, I am pretty positive of it; I have not the least recollection of it.

Q. When was it that the first of these transactions you have mentioned took place?

A. I think in August.

Q. That was a Clerkship in the War Office, was it not?

A. No, I think it was about Mr. Thompson.

Q. Was Mr. Thompson's the first transaction of the sort that took place after the Court Martial?

A. I think it was; there was no great distance of time between all these things.

Q. Was there no other transaction of this sort took place between the Court Martial and the affair of Mr. Thompson, besides those which you have enumerated?

A. I do not recollect any.

Q. Have you ever prosecuted any business of this sort with success?

A. Never.

Q. Never in your life? A. No.

Q. And you engaged in these businesses out of pure good nature?

A. I thought it would oblige Mrs. Clarke, and I wished to accomplish the object I had in view, to have Mr. Manners's accounts liquidated.

Q. How could you suppose, that by obliging Mrs. Clarke you could get Mr. Manners's accounts liquidated, when she had so little interest, that she was obliged to apply to you to accomplish these different businesses?

A. Because she told me that she still had an interest with the Duke of York, and that she was in some degree under his protection.

Q. Are you quite positive she told you that?

A. I am quite satisfied that she told me that, or gave me to understand it; I had no reason to dispute it, from the tenor of her conversation to me more than once, as I mentioned before, that the Duke of York kept her upon a smaller establishment, and I really believed she was under the protection of the Duke of York, or that he was about to re-establish her.

Q. Did

Q. Did it never occur to you to remark to her, that if she had that influence with the Duke of York, she was much more likely to prevail in such transactions than yourself?

A. No, I never made that remark.

Q. Where was it that she gave you to understand this, at Colchester?

A. I think it was at Colchester, or going down to Colchester; it was about that time.

Q. You do not now recollect any other transactions besides those you have mentioned?

A. No, I do not call any to my memory.

Q. You do not recollect ever having written to Mr. Lloyd?

A. No, I do not.

(*By another* MEMBER.)

Q. How many interviews do you suppose you had at different times with Mr. Tyndale?

A. Upon my word I cannot tell, I have no idea; I have been used to see him frequently.

Q. A great many?

A. Yes, I have frequently seen him.

Q. Then do you mean to state, in point of fact, upon no one of those interviews you have ever, from your own curiosity, or any other motive, asked Mr. Tyndale through whose interest those appointments were to be procured?

A. Upon one occasion, in the case of Ludowick I think it was, I asked Mr. Tyndale, pressing very much to have it effected, what channel do you suppose this comes through? he supposed that it might come through the Wellesley interest, I think he said; he did not mention any particular person.

Q. That answer was given by Mr. Tyndale in respect to Mr. Ludowick's appointment? A. Yes.

Q. Did you never hear Mr. Tyndale mention any other name pect to the channel through any other was to come.

A. No, I did not ask hi question as to the channel, upon that occasion, when I so much to have it effected.

Q. Mr. Ludowick's was th application you made to Mr dale; do you mean to state the applications for Thompso Williams, which were previo never heard through whose in those were to be obtained.

A. No, I did not ask hi questions

Q. Not till the third appli

A. I do not say it was th application, but not till that a tion.

Q. What led you to Mr. Ty

A. Being acquainted wit and knowing that he was a agent, and had information nature.

Q. Had you any reason t that Mr. Tyndale had the po obtaining any offices?

A. No, not personally.

Q. Then do you mean t that you applied to Mr. Tynd great many instances, without ing that there was any probat his obtaining the offices he w ployed to obtain?

A. Yes, except from hi statement or representation, thought he could get them.

Q. By what means did h that he thought he could effec

A. He did not state the me did not enquire into the cha do not know what commun he had, nor with whom he w nected.

Q. Do you mean to state, ter you had applied to him edly, and he had failed in ob those situations for which he plied to, that you continued apply to him without hearin him the means by which he obtain future situations?

A. Yes; I did not know

had any interest in himself to effect those objects.

Q. Had you been in the habit of negociating, or have ever negociated for any situations of this kind, previous to your knowledge of Mrs. Clarke?

A. No.

(*By* Sir J. Hall.

Q. State whether Mrs. Clarke gave you any hopes that Mr. Russell Manners's object would be effected?

A. I was about to state the purport of a letter, but it is not correctly evidence, which I do not know whether I have seen or not; but I remember the contents of it perfectly well, particularly one expression of the letter, purported to be written by the Duke, and it said, that he would give Mr. Manners a place suitable to his name and family. I remember that expression, I think those were the very words; or, that would not disgrace his name and family; something to that purport. This communication was not made to me, it was made to Mr. Manners by Mrs. Clarke, this letter that I speak of, and Mr. Manners communicated it to me.

Q. Did Mr. Manners state to you that he had seen such a letter, or did he bring such a letter to you?

A. I am sure that he stated such a letter to me, but I do not think I saw the letter.

Q. Do you recollect at what time this passed?

A. I think about the month of August 1806, as nearly as I can recollect, perhaps it might be July.

Q. Did Mr. Manners state to you from whom he had the letter?

A. To the best of my recollection it was a letter written by the Duke to Mrs. Clarke, which she shewed to him. I do not know whether she inclosed the letter to Mr. Manners, whether he had the actual possession of it, or only saw it in her possession.

Q. Did you see Mrs. Clarke afterwards, and have any conversation with her upon this letter?

A. I do not recollect that I had; I saw her afterwards, but I do not recollect that I said any thing to her upon the subject.

Q. When you saw her afterwards, had you any conversation with her upon Mr. Manners's business?

A. I do not recollect that I had; for I generally saw her in the company of Mr. Manners.

Q. When you saw her in company with Mr. Manners afterwards, did any conversation pass on Mr. Manners's business?

A. No, I do not recollect that there was.

Q. Not up to this hour?

A. No; Mr. Manners has been abroad for a year and a half.

Q. Have you conducted his affairs since he has been abroad?

A. No; he has no affairs to conduct in fact.

Q. Did Mrs. Clarke in your hearing, or to you, say that she had mentioned Mr. Russell Manners's business to the Duke of York?

A. I do not recollect that she ever said that in my presence.

Q. Did you ever hear her say any thing upon that subject?

A. I do not recollect that I ever did; for I saw Mr. Manners so frequently that he communicated every thing to me. I do not think I ever spoke to her upon that subject.

Q. Did any conversation pass between her and Mr. Manners upon the subject in your presence?

A. I do not recollect any conversation.

Q. Did you transact all this business for her gratuitously, or did you hope that this object would be effected, and that you should be remunerated in that way.

A. I had no gratuity for it, but I hoped that I should get the account settled.

Q. Have you expected that in the course of the last year?

A. I have expected it; I remember

ber speaking to Mrs. Clarke about it frequently, and not long ago. I think about a month.

Q. You spoke to her upon the subject about a month ago? A. Yes.

Q. Did she at that time give you hopes that it would be effected?

A. She said, you may speak to me upon that about two months hence.

Q. Did she say at all that she had mentioned the subject to his Royal Highness?

A. No, she never did.

Q. Not at any other time?

A. No; she seemed as if she wished to postpone that application; that I must speak to her about two months hence. That was about a month or six weeks ago.

Q. Was it up to that late period of a month or six weeks ago you still supposed her to have influence with the Duke of York?

A. Yes, I still thought so to the eve of this inquiry, from her representations to me and her conversation.

Q. Did you think so from her representations and conduct?

A. Yes, from her representations.

Q. You have stated, that in one of those transactions the money was left at the house of Messrs. Birch and Co. have you any credit with that house?

A. No, I have no account with that house.

Q. They do not discount bills for you? A. No.

(*By another* MEMBER.)

Q. Do you happen to know whether Mrs. Clarke has any account with the house of Messrs. Birch, where this money was left?

A. I do not know that she has.

Q. Who proposed that the money should be deposited there?

A. I think it was Mr. Tyndale; I am pretty confident it was.

Q. Has it ever happened to you, in transactions of this nature, to have money deposited at a house where you have a credit?

A. I never had any of this money deposited upon my own account; I do *not know whether it is* customary.

Q. I do not ask as to mone sited on your own account, but on account of persons conce such a negociation?

A. I have no experience up subject, though I believe it is mary to deposit the money v bankers to one of the parties, I not think Birch and Compan bankers to any of the parties.

Q. Has it ever happened to a negociation of this kind, t money should be deposited at er's where you had a credit?

Q. Was it Mrs. Clarke wh the proposition to you in the fair you were concerned in, o Mrs. Clarke?

A. I think Mrs. Clarke as the question; I think she m proposition.

Q. What question did Mrs. ask you?

A. I think it was about Th

Q. What was the questi Clarke put to you?

A. That she wished to get mission for him, and inquired it could be effected.

(*By* MR. DAVIS.)

Q. Did the bankers allow a est upon the sum deposited?

A. I apprehend not; I take granted.

Q. You are sure they did r four per cent?

A. I am pretty certain t not.

Q. Are you perfectly sure

A. I have had no commu with the bankers; I never h they did, and I rather think not, for the parties do not e terest for their money, and think that the bankers, up occasions, allow any interes ly; I never heard that they d

Q. Are you perfectly ce you never did, in any forme tions, derive an advantage lodgment of money at Mes and Company's?

A. Yes; I am perfectly of it.

Q. You have said, that you were not certain whether some conversation passed with Mrs. Clarke at the Court Martial, or going down to Colchester; did you go down to Colchester with Mrs. Clarke?

A. I did. She called upon me; she said she was going to Colchester, and I was summoned very suddenly to the Court Martial; I had but an hour's notice; she said she was going down in a post-chaise; I said, then we may as well go together, and we accordingly did go down in a chaise together.

Q. Did you not give evidence upon that Court Martial that you had not seen Mrs. Clarke either for some weeks or months preceding that trial?

A. I think to the best of my recollection, that I said I had not seen her from August 1806 till she called upon me.

Q. Up to the period of your evidknce?

A. Up to the time when she called upon me.

Q. Will you be perfectly clear in your recollection, whether you did not say that upon oath?

A. I do not recollect that I did; I should wish to hear that part read if it is in Court; I have no idea that I differed upon that occasion from what I state now. I am sure upon both occasions, I state to the best of my recollection; I may be mistaken in these trivial circumstances which did not interest me; that I did not see her from August 1806 till she called upon me to go down to the Court Martial; I think I stated that.

Q. Will you state positively that you did not upon that trial, on oath, state that you had not seen Mrs. Clarke for either weeks or months up to the period at which you gave your evidence?

A. I do not recollect that; if I did it must be a mistake; I fancy I corrected it, if I stated that: but I must be misunderstood upon that occasion.

(*By* Sir George Warrender.)

Q. In any of the conversations you had with Mrs. Clarke or Mr. Tyndale on the subject of these transactions was the Duke of York's name ever mentioned? A. Never.

Q. You are sure it was not upon any occasion?

A. I am certain it was not; nor the name of any other person, except in the way I have mentioned.

(*By* Mr. Huskisson.)

Q. You have stated, that about two months ago you informed Mrs. Clarke that there was no hope of getting a situation for Mr. Ludowick; what circumstance induced you to form that opinion, and to communicate to Mrs. Clarke that there was no hope of success for Mr. Ludowick?

A. From Mr. Tyndale; he told me that he thought that he could not effect it.

Q. Mr. Tyndale told you that he thought he could not effect it? A. Yes.

Q. Did he give you any reason for his failure?

A. I think he said to the best of my recollection, that a new arrangement had taken place in that department, or something to that purport.

Q. When did Mr. Tyndale tell you that the appointment was only delayed on account of the inquiry at Chelsea respecting the Convention at Cintra?

A. It was during that inquiry or that trial.

Q. Then you were led to hope, pending the Board of Inquiry at Chelsea, the appointment would take place as soon as that was over?

A. I thought so from what he said to me.

Q. And two months ago you were informed by Mr. Tyndale that there was no chance of success, owing to a new arrangement?

A. I think it was only about a month.

[The following questions and answers were read.]

"Q. In any conversations you had

had with Mrs. Clarke or Mr. Tyndale on the subject of these transactions, was the Duke of Portland's name ever mentioned? A. Never." —" Q. You are sure it was not upon any occasion? A. I am certain it was not, nor the name of any other person, except in the way I have mentioned."

Q. What do you mean by, "except in the way you have mentioned?"

A. That he said, that the place of Assistant Commissary he thought would be procured through the Wellesley interest, not mentioning any particular name.

(*By another* MEMBER.)

Q. Were you yourself acquainted with the hand writing of the letter which you stated to have been a letter from the Duke of York?

A. I do not recollect that I ever saw the letter.

(*By* LORD FOLKSTONE.)

Q. Were you ever engaged in any transaction about writerships or cadetships for India?

A. No, I think; excepting once a person asked me about a cadetship.

Q. Who was the person who asked you about a cadetship?

A. Mr. Donovan.

Q. You are acquainted with Mr. Donovan, are you?

A. I have an acquaintance with him.

Q. What did he ask you about a cadetship?

A. He asked me whether it could be procured.

Q. When was this?

A. I think it was about six weeks ago.

Q. What did you answer?

A. I said, that I would inquire about it.

Q. Did you inquire? A. Yes.

Q. What was the result?

A. That it might be procured was the result.

Q. Of whom did you inquire?

A. *I inquired of* this same gen-

Q. And he told you it mi procured. A. Yes.

Q. Was it procured? A.

Q. How came it not to cured, do you know?

A. I do not know how not to be procured.

Q. Tyndale told you he c procure it?

A. No, he said he could.

Q. From whom did you le it could not be procured.

A. I do not know that it be procured. Nothing is dc that I know of.

Q. What suspended the r tion.

A. I do not know exactl fancy the party was not in t something of that kind.

Q. What party?

A. An acquaintance of M novan's.

Q. The party who wanted cure it? A. Yes.

Q. Is the business in suspen Is it in a train of proceeding

A. I do not know.

Q. How long is it since yo lost sight of this transaction.

A. I believe perhaps a we

Q. Then a week ago yo something of this transactio you? A. Yes.

Q. What did you know of Was it in a train of proceedir

A. Yes.

Q. Had the party come t then? A. No, I believe not.

Q. It was in the regular was it?

A. Yes, I understood it m effected.

Q. From whom did you stand that?

A. From Mr. Tyndale.

Q. Do you expect, now, it effected?

A. Upon my word, I do no

Q. What was to be paid, transaction was brought to a s ful conclusion?

A. I do not know that an cular sum was mentioned upo unless it was 1501.

Q. One hundred and fifty pounds, to be paid to whom?

A. That I do not know. Mr. Tyndale, I suppose, would receive it, effecting the thing.

Q. Mr. Tyndale would have 150*l.*?

A. Yes.

Q. What should you have?

A. I should not have any thing. Mr. Donovan, I suppose, would have paid the money to me, and I should have paid it over to Mr. Tyndale.

Q. Are you a lawyer?

A. Yes.

Q. Were you aware that this was an illegal transaction? A. No.

Q. Are you aware of that now?

A. No.

Q. Was this the only occasion on which Mr. Donovan employed you to negociate a writership, or a cadetship to India? A. Yes.

Q. Are you positive of that?

A. Yes, I do not recollect any other.

Q. Are you positive there was no other? A. Yes.

Q. Quite positive? A. Yes.

Q. How long have you been acquainted with Mr. Donovan?

A. I do not exactly recollect, perhaps a year.

Q. Try to recollect, as nearly as you can?

A. I think it is about a year, not quite.

Q. Do you manage Mr. Donovan's affairs? A. No.

Q. Are you an agent of Mr. Donovan's in other matters besides this?

A. No.

Q. How long have you been an agent of his in these transactions?

A. I am not an agent of his.

Q. How long has Mr. Donovan consulted you, or courted your assistance in transactions of this sort?

A. I do not know exactly; I have called upon Mr. Donovan occasionally upon other matters.

Q. How often has Mr. Donovan talked to you upon matters of this kind?

A. I cannot tell.

Q. In how many instances has Mr. Donovan employed you in transactions of this sort?

A. Only on that one.

Q. Are you quite positive he has employed you upon no other?

A. I do not recollect any other.

Q. Upon what other transactions did you go to see Mr. Donovan?

A. Mr. Donovan is intimate with Lord Moira, and I have called upon him to know whether Lord Moira's sister was arrived in England, because I expected a relation of mine would come over about the same time, or that I should have intelligence about her.

Q. Come from where?

A. From Vienna.

Q. Do you know a person of the name of Gibson?

A. No; what Gibson.

Q. Do you know of a Mr. Gibson of Coventry-street? A. No.

Q. Do you know a Mr. Gibson who was lately negociating for the place of tide-waiter? A. No.

Q. You never heard of him?

A. No.

Q. Mr. Donovan never named him to you? A. No.

Q. Did Mr. Donovan introduce you to Mrs. Clarke at any time?

A. No.

Q. Did you never see Mrs. Clarke from the year 1806 till the time she called upon you to go with her to Colchester in April 1808?

A. I do not recollect that I did.

Q. Had you ever any intercourse with her by letter, during that period?

A. Yes, I think I had letters from her before the Court Martial, about her brother, Mr. Thompson.

Q. Was this upon the affair of the Court Martial?

A. I believe that related to it.

Q. Try to be certain what it was she wrote to you about?

A. I really cannot recollect the contents of the letter, but I think it respected some bills of exchange which came before the Court Martial, and

there

there was some difficulty about them; she was afraid he would be arrested, I think; but I do not recollect the purport of the letter.

Q. Had you no correspondence with her about matters of this sort.

A. No, I do not recollect any communication of the sort.

Q. Was it in consequence of that communication that she called upon you in the chaise as she went down?

A. I recollect that she wrote to me a few days before, that she thought she would have occasion to desire me to attend at Colchester upon that business.

Q. How many letters had you from Mrs. Clarke during the period between 1806 and 1808?

A, I am sure I do not know.

Q. All about this business of the Court Martial? A. No.

Q. What were the other letters about?

A. I do not recollect; nothing of any consequence, I believe. I do not think I heard from her for several months; those letters that I allude to, I think, came from Hampstead; but the contents are so immaterial to me, that I do not call them to recollection.

Q. They were not letters of business?

A. No, I think not; I do not recollect the contents of them.

Q. When did you last see Mr. Donovan?

A. I think I saw him last Friday or Saturday; I rather think Friday.

Q. Had you any conversation with him at that time about the cadetship?

A. No; I do not think I had.

Q. Are you positive you had not?

A. I do not recollect that I had.

Q. Had you, or had you not, any conversation at that time with Mr. Donovan upon that subject?

A. I do not recollect that I had.

Q. You are not positive?

A. I think I am positive.

Q. You have stated that it is customary in transactions of such a nature as those you have been speaking of, to deposit the money with the banker of one of the parties; what do you mean by customary?

A. I did not speak of my own knowledge but I believe it is usual; I believe it is natural to deposit it with the banker of one of the parties.

Q. Then you do not know that is the custom?

A. No; but I rather take it for granted that it is customary to deposit the money with the banker of one of the parties.

Q. Refresh your memory, and inform the Committee whether you can now recollect any negociation of this sort besides the one of Mr. Ludowick's, the one of Mr. Williams', the one of Mr. Thompson's, the one of Mr. Lawson's, the one respecting the clerkship in the War Office, and the one respecting the cadetship?

A. No; I do not recollect any.

Q. What reason did Mrs. Clarke give you for wishing you to speak to her in two months respecting Mr. Russell Manners's affairs?

A. She did not give any reason for it.

(*By* Sir J. Hall.)

Q. You have said that you are a solicitor by profession; you are paid for your trouble in transactions of business are you not?

A. Yes, in professional business.

Q. How could you afford to transact so many intricate businesses quite gratuitously?

A. I have done a great deal of business gratuitously in my profession.

Q. You have said, that in negociating this business with Mr. Tyndale you had but little hopes of success given to you; did you represent the matters to the gentlemen who applied to you in the same light, or did you magnify their chance of success?

A. I had no communication with those gentlemen, but only with Mrs. Clarke; I communicated to her.

(*By* Mr. Ward.)

Q. Can you recollect any single circumstance, or any single expression of Mrs. Clarke's, that could serve as a foundation for your suspicion that she had any influence with the Duke of York

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By COLONEL WOOD.)
uld you have been anxious to
Irs. Clarke, if she had not

given you reason to suppose that she still possessed influence with the Commander in Chief?

A. No.

(*By* MR. SUTTON.)

Q. At what period did Mrs. Clarke represent to you that the Duke of York was about to reinstate her upon a reduced establishment?

A. I think that was about the time of going down to the Court Martial.

(*The witness then withdrew, and Mrs. Clarke being called in, was examined by* LORD FOLKSTONE.)

Q. Have you any papers of Mr. Maltby's in your hand?

A. Yes, I have.

witness delivered in some papers, when a question arising as originality, she was desired to withdraw. It was determined hand-writing should be proved, before they were read as e, on which Mrs. Clarke was again called in.

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A. Yes.

Q. Have you ever seen Mr. Barber write?

A. Yes; this is only a sort of copy of how the money was to be lodged.

Q. Is that in Mr. Barber's handwriting?

A. Yes, they are by the same hand, and his name is to one.

Q. Have you any other letters which you wish to deliver in?

A. Yes, I have.

Q. From whom are they?

A. Three of them are from Colonel M'Mahon to me; I have lost the others, I fancy.

Q. Have you any other letters which you wish to deliver in.

[The witness was directed to withdraw.]

ROKER objected to the letters of Colonel M'Mahon being , as he was convinced, from what had passed on a former , that they could not be relevant to the subject.

NEL M'MAHON said, that Mrs. Clarke had stated, in her nination, that she would exhibit his letters to throw a proper upon her evidence. He came down to the House with a

view of insisting upon those letters being produced. From ing kept copies, and from the length of time since he wrc he could not pretend to say what they contained, but he th could safely undertake to say that they did not bear upon sent question.

MR. CROKER said, he was sure the House would not s time of the country to be wasted, by——(Here the Hon. man was interrupted by a cry of "*go on! go on!*" acco with laughing.)

[Mrs. Clarke was again called in.]

Q. Have you any other letters which you wish to produce?

A. To shew I did not tell a story about Dr. O'Meara, I have a letter of recommendation from the Archbishop of Tuam, not to me, but to the Doctor himself.

Q. Any thing more?

A. General Clavering, I fancy, informed the hon. gentlemen here, that he never had any thing to say to me upon military affairs; General Clavering being a distressed man, he was then a colonel, I spoke to the Duke respecting him; and had a great deal of difficulty, more so than as to any other man that I ever applied for in getting any sort of employment for him.

Q. Have you any papers relating to that matter?

A. At last I prevailed upon the Duke to give him a district, and with it he made him a brigadie entirely through my m *laugh!*] He afterwards ask get him a regiment; and, fe might be all given away Royal Highness came to tow to him when he was review the coast; here is the let his Royal Highness wrote which he mentions Gener ing's name. There is ano the Duke, in which he ack about Dr. O'Meara, that serve him as soon as he coul not speak of the archbish merely acknowledges that such a man; and the othe Colonel Shaw, when in th just before he sailed for th Good Hope, complaining of upon half pay.

[The witness was directe draw.]

A conversasion ensued upon the propriety of reading t ters, in which Mr. PERCEVAL argued, that those letters w been proved original, might be read, but not those of the York. Upon which it was urged, that his hand-writing m be proved.

[The witness was again called in.]

(*By* MR. WARDLE.)

Q. Do you know that to be the writing of His Royal Highness the Duke of York?

A. Yes, I do; but if not, Mr. Adam can speak to it.

Q. Is that [another letter] the hand-writing of His Royal Highness? A. Yes.

Q. Have you seen the Duke of York write?

A. Yes, I have. This, to George Farquhar, Esq. i hand-writing; whenever he Mrs. Clarke, the outside in a fictitious hand. This i ed Mrs. Clarke, to be left Office at Worthing: the both letters is his usual ha

Q. How did you con letter of the Archbishop of

A. It was left amo O'Meara's papers, among

ments, by accident, and I did not destroy it, because I thought it might be of some future service to him; when I gave him his papers, this was left by accident.

Q. Do you recollect through what medium you received Colonel Shaw's letter, whether by post, or a private hand?

A. I fancy it went to Coutt's the bankers: I think he directed me to write to him always there under cover, and the clerks would take care of them; but I am not quite certain, I think it was brought to me by a private hand.

Q. Do you know Colonel Shaw's hand so well, as to be able to speak to that being his hand-writing?

A. Yes, I do.

Q. You say that is Colonel Shaw's writing?

A. Yes, it is.

Q. Did you ever see Dr. O'Meara?

A. Yes, very often indeed.

Q Who is Dr. O'Meara?

A. He is an Irish gentleman, a clergyman, I do not know better how to describe him; he is very well known in Ireland.

Q. Where was this letter, purporting to be a letter from the Archbishop of Tuam to him, found?

A. Among my own papers; Dr. O'Meara has written me several letters for it, but I could not find it 'till about half a year ago.

Q. Did Dr. O'Meara send you that letter?

A. Yes, he did, he gave it to me with other documents.

Q. How long since?

A. It must have been very soon after it was written, I believe.

Q. What time was that?

A. I really do not like to date the the letter.

Q. How many years ago?

A. It was while I lived in Gloucester-place?

Q. How long ago is it since you lived in Gloucester-place?

A. Since the year 1806.

Q. Did Dr. O'Meara, upon sending that letter to you, direct any use to be made of it?

A. Yes, to shew it to the Duke of York with the other papers.

Q. Was it about the time that the Duke of York went to Lord Chesterfield's christening that Dr. O'Meara gave it to you?

A. No, I believe it was some time previous to that.

Q. How long previous?

A. I cannot say.

Q. It was previous to that?

A. He gave me documents, but I am not sure that was among them; but I am certain that I received it from his own hands.

[The witness was directed to withdraw.]

[The following Papers were then read:]

(MR. MALTBY'S *Letters and Papers.*)

"Dear Madam, "Friday Morning.

"The regiment for Mr. Williams is going to *India*; this is lucky; therefore, let him immediately provide the needful, and I will arrange in *what* way it is to be deposited. Have you written to him, as no time to be lost.

"As to the 2d battalion, is the gentleman here and prepared?

"Your's truly, R. M."

"Pray give me *a line* in answer."

"Dear

" Dear Madam,

" If you can *by any means* forward the adjustment of Mr. M——ners' account, as to his claims respecting the 26th reg^{t} whilst in Egypt, of which the late Genl Manners was the Colonel,

" You will much oblige,

Dr Madam,

Your's truly,

" July 28th. R. MALTBY."

" I don't know your true address—I called in Holles-street a few days ago, and found you were gone."

" My dear Madam, " Saturday Ev^{g}.

" I thank you very much for your kind attention—you would be quite a treasure *in every way* to any Secretary of State.

" I am as anxious as you can be, that there may be no disappointm^{t} in the Comss^{n}; and I am goading the parties every day.

" You say nothing of the P——ship 2d battallion; is the party ready?

" When do you leave B—— place?

I am, Dr Madam,

Your's truly,

R. M."

" Dear Madam,

" If I have not the letter of recommendation immediately, and the money ready, I fear it will be lost. I understand the regiment is *very respectable*, but I do not know the county yet.

" Remember the Paymastership.

Your's truly.

" Friday Afternoon." R. M."

" Dear Madam, " May 20th.

" Mr. M. is not, I believe, in this country, but far distant; so it will not answer to send your letter. Shall I enquire for the object you mention? What *rank*, and *what* shall I propose for it?

" Do you know any one who wishes, on certain terms, a Paymastership in the E. Indies?

" I will enquire about the *other* matters.

Your's truly.

R. M."

" Dear Madam,

" I shall ascertain to-morrow every thing respecting the P. ship. Will any person you know like a place in the Bank, about 100*l*. per

Ins. I believe *another* P. ship of a first, and one of a 2d battal. may be had, and Militia Adjutancies.

D. Madam,

"Wednr aftn. Yrs truly,
Decr. 7. R. M."

"Dear Madam, "Thursday, 5 aftn.

"I have been in search of Mr. Barber, both in Bream's buildings and the City, without success: I shall see him to-morrow at eleven, and I am *satisfied* I shall arrange with him, (I hope as he wishes.)

"In the *mean time*, as it is CERTAIN, Mr. Williams may have what he wishes, I beg you will be so good as to send to Mr. Browne *instantly* to call on me, as it cannot be kept longer than a *day open*; and I think I can satisfy Mr. B. that there will be no *disappointment*. Pray send to him *directly*

Your's very truly,
R. M."

"The receipts to be taken in the short form, as it is likely Coutts & Co. will not like to sign such a special receipt as that written by M. B."

"*L.*680. to be deposited at Messrs. Coutts & Co. in the names of L. & B.
& *L.*157. 10. at Messrs. Birch & Co. in the names of —— Blake and Wm. Barber—
& to take a *similar* receipt."

"It is *absolutely* necessary so make the *deposit* to-morrow, *Friday* (if not *already done*) as the appointment will otherwise probably *fail*."

Addressed:
"Mrs. Clarke,
Tavistock-place,
14. Russel-square."

[The three following papers were written in pencil.]

"FORMS OF RECEIPT."

"Received Sept. 1808 of Mr. Blake, and the sum of three hundred and sixty-seven pounds ten shillings to be repaid by us to the bearer of this receipt, upon producing the same indorsed by the said M. Blake, and

"(Signed) BIRCH & Co."

"I do hereby agree to indorse a certain receipt, dated Sept. 1808, for *L.*367. 10. received of M. Blake and myself by Messrs.

persons refuse to speak to a character, that character must be a bad one, *(A laugh.)* He was glad the hon. and wise gentlemen opposite agreed with him in opinion.

The witness was then called in, and asked:

Q. From your own knowledge of Miss Taylor would you believe her evidence?

A. I declare I do not see how I can answer such a question as that, it is merely matter of opinion, I cannot answer it.

Q. Where do you live?

A. In Villiers-street, No. 29.

Q. How long have you lived there?

A. I believe not quite three months.

Q. Where have you generally lived?

A. Where I lived before, that was in South Molton-street.

Q. How long have you lived in South Molton-street?

A. Upon my word I cannot recollect.

Q. Cannot you recollect how long you have lived in a street?

A I went to it at two different periods.

Q. How long have you generally lived in any one street?

A. I had a house in Panton-square.

Q. How long?

A. Two years and a half.

Q. When did you leave it?

A. In 1803, I believe in June.

Q. Did you live there when you visited Mrs. Clarke?

A. I never visited Mrs. Clarke.

Q. Did she visit you when you lived there? A No

Q. Where then did you see Mrs. Clarke?

A. I went to Mrs. Clarke on business.

Q. Have you before stated all the business that you went to her upon?

A. No.

Q. Then state what other business?

A. Pardon me; what other business I had with Mrs. Clarke was for commissions for other gentlemen, whose names have not been mentioned, for whom she never did any thing.

(The witness was directed to withdraw.)

Lord Folkstone, was of opinion, that as the Committee was appointed to inquire into abuses, this question should be put, as it might possibly lead to the discovery of further abuses.

Mr. Fuller did not see why gentlemen opposite should feel all this delicacy; others should be brought forward, as well as the Duke of York, the rest should not go free. *(A laugh).*

Mr. Canning thought the question should be put; after the many questions that had already ended in nothing, he thought they were bound to put the present.

General Stewart thought that many officers, both in the army and militia, might be injured; they would have no way of defending themselves against imputations thrown by this means on their characters.

Mr. Whitbread said there was a way of defending their characters, as General Clavering had proved.—*(A laugh!)*

Sir A. Wellesley agreed in sentiment with the gallant General near him.

Lord Henry Petty thought, that no consideration of the kind should prevent them from going into the evidence.

Mr. Canning proposed, that they should first put the question, whether the transaction stopped with her, or extended to Mrs. Clarke.

[The

(*The witness was again called in.*)

Q. Did you ever send the names of those other gentlemen to Mrs. Clarke, or communicate them

A. I never sent them to her, I took them to her,

Q. You delivered them into her own hands? A. Yes

Q. Then state the names of all those gentlemen; how many were there?

A. I do not really recollect that.

Q. State their names?

A. I said before, I could not do that.

Q. Endeavour to recollect, and state their names?

A. It is not for want of memory, or or want of respect to the House, but I cannot name them.

[The Chairman informed the witness that it was the sense of the Committee after discussion, that she should enumerate the names of the Persons to whom she referred.]

A. I cannot mention their names.

Q. You have stated that it is not from want of memory, therefore endeavour to recollect as many of the names as you can?

A. It is because I think it would be a very dishonourable act in me to discover the names of Gentlemen who have never been brought forward, and never profited by any one act I did.

[The Chairman stated to the witness, that the House was armed, with power to compel her to answer and to inflict a very severe censure upon her if she did not answer the questions, which it was the opinion of the House should be answered.]

(*By* MR. PERCEVAL.)

Q, Had you authority from those persons to whom you referred, to give their names to Mrs. Clarke?

A. I cannot recollect that, I declare.

Q. Did you ever carry the names of any persons to Mrs. Clarke, without their authority?

A. I do not know whether I did not, I am sure.

Q. State positively whether you did or did not?

A. Indeed my memory does not help me out.

Q. State the names?

A. I cannot.

(*The witness was directed to withdraw.*)

A conversation ensued here between Mr. Canning, Sir J. Graham, Sir G. Warrender, Mr. Whitbread, Mr. Yorke, and Mr. Huskisson, on the propriety of urging this question—several other members took part in the conversation; and General Mathew, after some remarks, said, that he would take the sense of the House upon it.

MR. WILBERFORCE considered the line of examination as tending to bring to light the effects of the abuses imputed to the system, which, in itself, was a very serious consideration; and, therefore, he was of opinion the Committee ought to go on.

MR. PERCEVAL suggested another consideration, why they should persist in the line of examination; for if it would turn out, from the answer, that a long list had been given in, out of which only two or three had succeeded in gaining promotion, this would prove that it was not the influence of Mrs. Clarke which had succeeded, but that it was merely the effect of a general traffic.

The SECRETARY at WAR reminded the Committee that the system of brokers, whether right or wrong, was formerly open; but that the charge here was of the existence of secret practices.

GENERAL MATHEW then agreed to withdraw his motion, and the witness was again ordered to the bar.

The

The witness was again called in, and previous to the resumptio of her examination by Sir James Graham, the Chairman informe her that it was the opinion of the Committee that she must answe the question put to her, and that the House had power to inflic very heavy punishments, and never more severely exerted tha power, than in the case of witnesses who conducted themselves i the contumelious manner she had done.

Q. State the names of the persons you carried to Mrs. Clarke.

A. I did not mean it the smallest contempt to the House, quite the reverse; and to convince you that I feel a respect for this House, and not from fear, I will state the names; one is Johnson and another is Williamson.

Q. Are there any other names?

A. I do not recollect.

Q. Endeavour to recollect?

A. I cannot.

Q. You said there were several names, or a long list of names?

A. I do not think I said that, I said there were some.

Q. Did you never deliver the names of any other gentlemen but Johnson and Williamson?

A. I do not recollect any other; I think I had others, but I do not recollect their names.

Q. You did deliver others?

A. I recollect those, because they are my own acquaintances.

Q. What are their Christian names?

A. They are, George Johnson and William Williamson.

Q. Where do they live?

A. I cannot tell you that, it is now three years ago.

Q. Where did they live then?

A. Upon my word I do not know where their lodgings were.

Q. You have said that they were acquaintances of yours?

A. I am sure I cannot tell where they lived, I did not ask the gentlemen their residence.

Q. You stated they were acquaintances? A. Yes.

Q. Do you now state that you did not know where your acquaintances lived?

A. They had not long arrived from Ireland.

Q. Were they in the army?

A. They never were, nor to my knowledge have not been in it yet; they were three months trying to get in through Mrs. Clarke, and could not.

Q. Did you deliver any other list to Mrs. Clarke but those two names?

A. I never delivered a list to Mrs Clarke.

Q. Did you ever deliver any othe name to Mrs. Clarke?

A. I cannot recollect any other nam I delivered.

Q. Are you a married woman?

A. I am a widow.

Q. How long have you been a wi dow?

A. Nearly six years.

Q. How long did you live in Soutl Molton-street?

A. At two different periods, I sup pose about a year and a half, but no altogether.

Q. Were you in a house or in lodg ings?

A. I was in lodgings.

(*By* Lord Palmerston.)

Q. Did you ever apply to Mrs Clarke to procure leave of absence fo any officers?

A. I never did, to my recollection.

Q. Not for Major Shaw?

A. She told me she could not g leave of absence for him; I was to te him to get it through General Burrard

Q. Then you did apply for Majo Shaw?

A. I sent word to Major Shaw, tha he must get two months leave of ab sence.

Q. Did you apply to Mrs. Clarke t procure that leave of absence?

A. I did not; she applied to me t beg Major Shaw would get two month leave of absence, that during that tim

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York as to granting places since 1806?

A. I only collected from her conversation that she still had an interest with the Duke of York, but she said nothing about a power to grant places, or any thing of that sort.

Q. Do you know of her offering to procure, or of her pretending to endeavour to procure any place by her own influence with the Duke, during that period, from the latter end of 1806?

A. I do not, from the latter end of 1806, recollect her saying any thing to that purport.

(*By* Colonel Wood.)

Q. Would you have been anxious to oblige Mrs. Clarke, if she had not given you reason to suppose that she still possessed influence with the Commander in Chief?

A. No.

(*By* Mr. Sutton.)

Q. At what period did Mrs. Clarke represent to you that the Duke of York was about to reinstate her upon a reduced establishment?

A. I think that was about the time of going down to the Court Martial.

(*The witness then withdrew, and Mrs. Clarke being called in, was examined by* Lord Folkstone.)

Q. Have you any papers of Mr. Maltby's in your hand?

A. Yes, I have.

The witness delivered in some papers, when a question arising as to their originality, she was desired to withdraw. It was determined that the hand-writing should be proved, before they were read as evidence, on which Mrs. Clarke was again called in.

Q. State from whom you received those different papers?

A. I received those from Mr. Maltby, and those two from Mr. Barber; there is Mr. Barber's name to one of them?

Q. Do those you received from Mr. Maltby purport to be Mr. Maltby's hand-writing?

A. Yes; his name is to two or three of them.

Q. Do they all purport to be his hand-writing?

A. Yes, they are all his hand-writing.

Q. Did you ever see Mr. Maltby write?

A. Yes, many times.

Q. Do you know that they are his hand-writing? A. Yes.

Q. You are positive of that fact?

A. Yes.

Q. Have you ever seen Mr. Barber write?

A. Yes; this is only a sort of copy of how the money was to be lodged.

Q. Is that in Mr. Barber's hand-writing?

A. Yes, they are by the same hand, and his name is to one.

Q. Have you any other letters which you wish to deliver in?

A. Yes, I have.

Q. From whom are they?

A. Three of them are from Colonel M'Mahon to me; I have lost the others, I fancy.

Q. Have you any other letters which you wish to deliver in.

[The witness was directed to withdraw.]

Mr. Croker objected to the letters of Colonel M'Mahon being received, as he was convinced, from what had passed on a former evening, that they could not be relevant to the subject.

Colonel M'Mahon said, that Mrs. Clarke had stated, in her last examination, that she would exhibit his letters to throw a proper colour upon her evidence. He came down to the House with a

names of Johnson and Williamson were given up to Mrs. Clarke at the time, with a great number of others?

. I have not said a great number.

Q. With other names, were this affair of Major Shaw's, and that in which Johnson and Williamson were concerned; the only occasion on which you went to Mrs. Clarke?

A. I never went to Mrs. Clarke's on any other business but that, till Major Shaw's business was finished, and the papers returned.

Q. Were you well acquainted with the house Mrs. Clarke inhabited in Gloucester-place?

A. Certainly not.

Q. Into what room did you used to go?

A. Her bed-room.

Q. Were you ever in any other room?

A. Yes, the front palour and the drawing-room, and the bed-room.

Q. There was very handsome furniture in that house? A. Very.

Q. Very magnificent?

A. It was very genteelly furnished.

Q. You have seen all those rooms, and have only been there two or three times; do you adhere to that statement?

A. I recollect stating, that I was there six times within the last month.

Q. How long have you been acquainted with Mrs. Clarke?

A. December 1804, I think.

Q. The beginning of your acquaintance was in 1804? A. Yes.

Q. On the occasion of Mr. Shaw?

A. I went before I went on the business of Mr. Shaw, I went without any introduction whatever.

Q. On what business did you go

A. I was told she had commissions to dispose of, and without any introduction I went to her and asked her.

Q. Why was your being told she had commissions to dispose of the reason of your going there, did you wish to procure commissions?

A. I did at that time.

Q. For whom?

A. I do not know that I had any particular person in view at that time.

Q. You were in the habi ing commissions?

A. No, I was not in the was the first time I went.

Q. Then you did go to l upon this business of proc missions, besides the time about Major Shaw and Je Williamson?

A. The first time I we Clarke, I told her I came she had any commissions to

Q. Was that mere curios

A. No, it was not.

Q. What, then, was y for making that inquiry?

A. At that period I had very heavy misfortune; m the West Indies died, and London broke, and I was embarrassed.

Q. What mode did yo ease your embarrassments?

A. I had hopes that I w not conceive it improper.

Q. You sold commissions

A. I never sold one.

Q. You negociated the sa

A. I treated, but it did n

Q. Were all the comm you had with Mrs. Clarl did you ever correspond wi

A. I often wrote to her.

Q. You had frequently l Mrs. Clarke?

A. I had.

Q. What was the latest ever received letters from M

A. I made it a rule, whe ceived a letter from Mrs. C next time I saw her, to ret letters.

Q. What is the latest which you received letters Clarke?

A. I believe that one in inclosed me Major Shaw's s believe that was the last, I collect any other since.

Q. Have you never rec letter from Mrs. Clarke wi few months?

A. No, I have not.

Q. And you never kept

of the letters you received from Mrs. Clarke?

A. I have not one of them.

Q. When did you part with them?

A. I made it a rule, whenever I went to see Mrs. Clarke, to bring the letter I had received the day before, and to give them to her.

Q. Was that an invariable rule?

A. To the best of my knowledge.

(*By* Sir Robert Williams.)

Q. You have stated in your evidence very lately, that you have been frequently in Mrs. Clarke's house in Gloucester-place, and that you have seen her in her bed-room and drawing-room, and several places in that house; is that so? A. Yes.

Q. How do you reconcile that to the former part of your evidence, where you stated that you had seen her only twice?

A. I never said so.

Q. You mentioned that you would not visit Miss Taylor, out of delicacy; why did not that delicacy operate with regard to Mrs. Clarke, whom you knew to be living under the protection of the Duke of York?

A. I stated before my reasons for calling upon Mrs. Clarke.

(*By* Sir Charles Dundas.)

Q. Did you ever upon any occasion receive any authority from Mrs. Clarke to negociate the sale of commissions in the army? A. Never.

(*By* Lord Milton.)

Q. You have stated, that you were informed that Mrs. Clarke had commissions in the army to dispose of; who so informed you?

A. General report.

Q. Endeavour to recollect some individual who might have told you.

A. I do not recollect any individual telling me, I recollect asking a gentleman Mrs. Clarke's address.

Q. Who was that gentleman?

A. Mr. Taylor; he is married to a sister of Mrs. Clarke since that.

Q. What object had you in asking him that question?

A. That I might call on her.

Q. You have stated, that you were in the habit of returning to Mrs. Clarke all the letters you received from her; what reason had you for pursuing that conduct?

A. She begged I should do so.

Q. Did she state any reason which induced you to do so?

A. For fear any accident should discover her trafficking in commissions.

[*The witness was directed to withdraw.*]

Sir George Hill observed, that as a letter from the Archbishop of Tuam to Dr. O'Meara had been mentioned, he wished it might be produced, as he believed there was an hon. member present who could say whether it was his hand-writing or not. The letter was accordingly shewn to Mr. J. C. Beresford, who was asked:

Q. Will you look at that letter, and state whether it is the hand-writing of the Archbishop of Tuam?

A. I have seen him write many times, and have no doubt it is his writing.

[The Letter was then read.]

"Sir,

"In consequence of your application to me, I am ready to give ample satisfaction, and to bear testimony, that I have had assurances from persons in whom I place the most implicit confidence,

that you are a gentleman of most unexceptionable characte every respect, of a respectable family, and independent fortun

I have the honour to be,
Sir,
Your most obedient,
humble servant,
W. TUAM."

"Crescent, Bath.
Feby 17th, 1806."

Addressed:
"The Rev. Doctor O'Meara,
No. 7, Alfred-street."

(MRS. CLARKE *was next called in and examined by* MR. WARDLE.)

Q. Did you know Colonel Shaw?

A. Yes.

Q. Do you recollect who introduced him to you.

A. Not exactly.

Q. Do you recollect his applying to you to procure any appointment for him through the medium of his Royal Highness the Duke of York?

A. Yes, I do.

Q. State what that appointment was?

A. He wished to be made a Lieutenant-Colonel, and to get into some situation upon the staff.

Q. Did Colonel Shaw promise you any pecuniary consideration on the event of his obtaining the appointment?

A. Yes, he did.

Q. What was the pecuniary consideration he did promise you?

A. I cannot say that I immediately recollect the sum, I believe it was 1000*l.*

Q. Did you, in consequence of this, acquaint the Commander in Chief with such offer, and apply for the appointment?

A. Yes, I did; previous to his getting the situation, he wished to be Colonel of the Manx Corps in the Isle of Man, where his father had been Deputy Governor.

Q. Do you mean to say that you applied for this situation for him?

A. Yes, I did, but there were stronger claims in another quarter.

Q. Did you then apply for any other situation for him?

A. Yes, I did.

Q. What was that?

A. That which he now holds.

Q. Do you know what that is?

A. Barrack-Master at the Ca Good Hope; Barrack-Master G ral, I believe.

Q. Did you receive any pecur consideration in consequence of appointment?

A. Yes, I did.

Q. What did you receive?

A. 500*l.*

Q. Do you recollect how you ceived that money?

A. I had 300*l.* from Colonel S and 200*l.* brought by some man, derstood it was a clerk of Coutt's I am not positive, and on that acc had a great mind to send it back a thinking it would be made public.

Q. Were you satisfied with 500l? A. No, I was not.

A. In consequence of not bein tisfied with the 500*l.* did you any complaint through the Comm der in Chief? A. Yes, I did.

Q. What was the consequenc such complaint?

A. His Royal Highness said, h told me all along, that I had a bad sort of a man to deal with, that I ought to have been more ful, and that he would immedi put him upon half pay.

Q. Do you know whether M Shaw was put upon half pay in c quence of that?

A. He sent me several letters plaining, but I did not trouble self much with reading them; o the letters I gave in to-night, I beli I thought him already too well of his conduct to me.

L

[Letter from Colonel Shaw was read, dated in pencil, off the Lizard, 19th May 1806.]

"Off Lizard and a fair wind, 19 May."

"Altho' I have troubled you so often, and although my mind is nearly convinced that the hardship of which I complained HAS been rectified, by the order of *the Gazette in respect to my reduction* being *rescinded*, yet whilst even the suspicion of so serious an evil and indeed an injustice continues, I know that you will make every allowance, and pardon my being so importunate. In addition to the custom of the army being in my favour (as you mentioned) the following instances are specifically so, and in the same appointment: Lt. Col. Carey, D. B. M. G. Major 28th Regt. Lt. Col. Vesey, D. B. M. G. Canada, Lt. Col. 29th Regt., the late Col. Brinsley, D. B. M. G. West Indies, retained also his full-pay commission until his death; and I believe I stand *singular* in the army, in an officer being appointed to the Staff abroad, and reduced on half pay in consequence. Thus my case bears in point of right. Your feelings will justify my expectations in point of promise and assurances. The first impression of receiving injury at the hands from whence I had trusted to have merited the contrary, are the only excuses I can plead. For any intemperance that may have appeared in my letters, you will, I am sensible, as my mind was at the *time* affected, readily pardon. The period may arrive in which you will know that, independent of particular consideration, I merited your *good offices*; but until circumstances developed themselves, you shall never understand them through me or by my means. However severely I have felt, however warmly I may have expressed myself, of this be assured, that you shall not experience uneasiness of my occasioning. Tho' thus decided at present, yet permit me to say that it does not arise from *viewing otherwise* the severe and cruel injury of putting me on half pay. Independent of present mortification, my prospects in the active line of my profession are ruin'd by it, and, God knows, they are not very brilliant, considering either the length or the nature of my services. Further, Madam, in my present *separation* from *my children*, it creates in me sensations particularly painful, when I reflect, that if approaching that state to which we must all at some period arrive, that I could not (by this measure) have the consolation of resigning my commission *by sale* for the benefit of my *large family:* and that they should in this event have no other *memento* of my *having served 23 years* than in the expences of the purchase, &c. &c. of some commissions. In such cases the humane consideration of the present Commander in Chief have been eminently distinguished.

I shall no longer trespass; my only apology rests in that every feeling is involved in the present object. I had even appropriated my full pay for the education of two children remaining in England, but illness has for some time deprived me of all my family. Let me, Madam, owe good offices to you, and I shall be ever grateful. From your explaining this case, I am certain that *his justice* will be extended to me. Let me not be driven from my profession. Do

away the present bar to my family joining me at the Cap
am sure that your sentiments will accord, that I ought not
when no longer with honour and on a *reciprocal* footir
those *similarly appointed.*

" We are not likely, I fear, to be a healthy fleet; some sl
very crowded, and sickness has already made its appearan
there are two ships, I hear, without either doctor or m
Farewel: and I hope to receive your commands.

" Do away the present evil, and unite the appointment
tioned, and I will annually remit 500*l.* Whilst I remain, *re*
do *me justice,* let not any thing prevent this; allow not self o
have ever to say that we owed misfortune to such a hand."

Addressed;
" Mrs. Clarke,
Gloucester-place,
18. Portman-square."

(*By* Mr. Croker.)

Q. I understood you to have mentioned on a former night, that you never had represented yourself as being a widow; do you now abide by that answer?

A. Does the Gentleman mean represented, or that I have ever said so?

Q. Have you ever said that you were, or represented yourself to be a widow?

A. If I have ever said so, it was never but at the Court Martial; if it was ever at any other time, it must have been in joke; but I never represented myself to be so; the two meanings are so different, of saying and representing.

Q. Do you ever recollect yourself to have stated yourself a widow at any other time, but on the occasion of the Court Martial?

A. I do not; but if the Gentleman will put me in mind at what time, or to whom, I will answer to the best of my recollection.

Q. Do you ever recollect yourself to have stated yourself to be a widow at any other time but on the occasion of the Court Martial?

A. Then I must repeat the same answer.

Q. Have you ever called yourself by any other name than that of Clarke, since the year 1806?

A. I do not recollect that but it is very likely to avoid l

Q. Is it so common a thir to assume a false name, that not positively say when you such a name, or indeed wh did so at all or not?

A. I only wish the Gen point out, and I will answer diately, any pointed questio

Q. Is it so common a thi to assume a false name, that not positively say when you such a name, or indeed wh did so at all or not?

A. I do not recollect tha done so.

Q. Do you recollect to h by the name of Dowler?

A. No, I do not; but it likely others might call me s represented myself as Mrs. I

Q. Then you say positi you never called yourself by of Dowler, or represented y bearing that name?

A. No, I have not, withou be in joke; and if that is as will answer the question; it been to some acquaintance, body, as I have always liv my own name.

Q. Did you not, within alluded to, live at Hampste ing to yourself the name of

A. No, I lived at Hampstead, but under my own name.

Q. Nor in the neighbourhood of Hampstead?

A. No, never any where, but in my own name.

Q. In whose house have you lived at Hampstead?

A. Mr. Nichols's.

Q. How long did you live at Mr. Nichols's?

A. I cannot recollect how long.

Q. A considerable time?

A. Some months.

Q. During the whole of which you passed under your own name of Clarke?

A. During the whole time.

Q. In what year did you live at Hampstead?

A. Part of the year 1808, and the end of the year 1807.

Q. You have stated when you were last here, that you had seen Mr. Dowler but twice since his arrival in England; once on a Sunday, when he called relative to the business now under inquiry, and once in the witness's room in this House; do you abide by that assertion?

A. I will not be caught in a story about that, and therefore I shall say I did see him once besides.

Q. Do you mean to say that you were caught in a story, when you before represented that you had seen him but twice?

A. No; it is now perhaps you wish to catch me in one.

Q. Did you not say that you had seen Mr. Dowler only twice?

A. It is very likely I might have said so.

Q. Is that true or false?

A. It is true that I have seen him twice, and it is also true that I have seen him three times.

Q. Where did you see Mr. Dowler the third time which you now allude to?

A. In this House.

Q. How often have you seen Mr. Dowler besides those three times, since his return from Portugal?

A. Those three times? Once since—yesterday.

Q. That is the whole number of times that you have seen Mr. Dowler since his arrival in England?

A. I believe that the hon. gentleman can tell pretty well, for his garret window is very convenient for his prying disposition, as it overlooks my house.

Q. That is the whole number of times that you have seen Mr. Dowler since his arrival in England?

A. Yes.

Q. You are sure of that?

A. Yes.

Q. You are not now afraid of being caught in a story; you answer with perfect recollection?

A. If the hon. gentleman wishes it, I will say I have seen him oftener, if it will at all tend to any thing; I do not wish to conceal that Mr. Dowler is a very particular friend of mine.

[The Chairman informed the witness that she did not stand there to make observations on the Gentlemen who examined her, but to give correct and proper answers to the questions put to her.]

A. I have, as well as I can recollect.

Q. At what other places than those you have already mentioned, and at what other times, have you seen Mr. Dowler since his arrival in England?

A. I have seen him at his own Hotel.

Q. When?

A. The first night he came home, I believe, but which was to have been a perfect secret, as I did not wish my own family, or any one, to know I saw him that night.

Q. Only the first night he came home?

A. And the other times I have stated.

Q. Are those the whole of the times you have seen Mr. Dowler since his arrival in England?

A. Yes, they are.

Q. You have stated you saw Mr. Dowler at his Hotel; how often did you see Mr. Dowler at his Hotel?

A. I

A. I have told you, once.

Q. Only once?

A. Only once.

Q. What day was that?

A. I have already stated, it was the first day he came home

Q. On Thursday?

A. Yes, on Thursday.

Q. What time of the day did you see him at his Hotel on the Thursday?

A. At night.

Q. Did you pass under your own name, of Clarke, on that occasion?

A. I passed under no name.

Q. Do you now perfectly recollect that you saw him at his Hotel since his arrival in England but on that one occasion, that Thursday night?

A. No, the other times I have stated.

Q. At what Hotel did you

A. At Reid's, in St. Marti

Q. Did you see him more time at that Hotel?

A. No, I did not, I saw h own house afterwards.

Q. Were you in company Dowler for a considerable ti that occasion?

A. I have stated that I wa pany with Mr. Dowler; a leave to ask the Chair, wh is a proper question, whethe unbecoming the dignity of th

Q. Did you see Mr. Dowl Friday morning?

[*Here the witness wa to withdraw.*]

MR. WILBERFORCE thought it perfectly incorrect and i for the Committee to enter into a detail of the private con the witness.

A conversation then took place between Mr. Percev Maurice Fitzgerald, Mr. Croker, Sir George Warrend Bathurst, and Mr. Adam, which terminated in the Ch ordering the witness to be called in, and the question wa proposed by Mr. Croker.

A. My visit continued till the Friday morning.

(*By* MR. LYTTLETON.)

Q. Had you any credit with the Duke of York's bankers?

A. Which of them.

Q. With either of them?

A. With neither.

Q. Did you ever draw any bills upon the Duke of York, which he accepted?

A. No; it was given out at the Horse Guards, that I had committed a forgery upon the Duke for 2000*l.*, which I did not, and it followed me all over the country, and many persons were very much inclined to believe it, as Mrs. Hamilton Pye, Colonel Gordon's sister, said she knew it of her own knowledge.

Q. Did you ever draw any bills upon the Duke of York, which he accepted?

A. No, he always drew t accepted them himself; I n any thing to do with them, h whole.

Q. Do you mean you nev bill, drawn upon the Duke of Birkett's the silversmith's?

A. Once or twice his Roy ness gave me small bills for four hundred pounds, but t his own signing and drawin was to get my necklace, or s in that way, from Parker's, Street, but I never drew a never touched any thing of t but I was always obliged to si thing else private to Parke would not take his Royal H bill without my doing so.

Q. Then you deny that any bill drawn by the Duke or yourself upon the Duke o Birkett's the silversmith's?

A. I never sent any to Bir

Q. You have stated the number of horses and servants you kept, and that his Royal Highness allowed you only 1000*l.* a year; I believe you remained under the protection of the Duke of York for three years; during that time did not his Royal Highness pay you to the amount of 25,000*l.* in those three years?

A. O dear, no! He very frequently did not make good his monthly payments, and for the three months before he left me I never had a guinea from him; and although Mr. Adam has stated that his Royal Highness parted with me on account of a bill, his Royal Highness never had the generosity to give me the money for that bill; it was only 130*l.*, and I never had a guinea value for it; I had given it to Mr. Corri, to save him from going to prison.

Q. Do you not believe that his Royal Highness, during the three years you were under his protection, paid 20,000*l.* for you, including all the various sums that were advanced to you, the payment of tradesmen's bills, &c. &c. during those three years?

A. No, he did not.

Q. Will you undertake to say that his Royal Highness did not pay 15,000*l.* for you during those three years?

A. Do you include his Royal Highness paying for the house before I went into it, or keeping me and the establishment?

Q. Including every thing, all the advances that were made.

A. I cannot tell what he paid for the house; I can tell what my lawyer got for it.

Q. What was the amount which you got for it?

A. I believe the whole sold for 4,400*l.*; and I think it is proper for me to state in what situation I was, which his Royal Highness knew at the time of our parting: some short time before, I had borrowed different sums of money of my lawyer, to the amount of twelve or fourteen hundred pounds, and I asked the Duke for the lease and he gave it to me, and I gave it up to the lawyer for the different sums of money received from him before the house was got rid of; his Royal Highness had not paid the rent for the last half year, and I fancy the taxes for a twelvemonth were not paid; I always paid the taxes; I took 700*l.* on account to pay the poor trades-people and the servants; 700*l.* was due to Mr. Parker for trinkets, which were got from him to be sold in the sale.

Q. Exclusive of the house, will you undertake to say you have not received to the amount of 15,000*l.* from his Royal Highness?

A. That I am very sure of.

Q. Can you undertake to say that positively?

A. Positively.

(*By* Sir G. Warrender.)

Q. Will you undertake to say positively you did not receive 12,000*l.* from his Royal Highness, including every advance, and articles paid for during those three years?—A. Yes.

Q. Will you undertake to say positively his Royal Highness did not pay 10,000*l.* to and for you?

A. Yes, I can. His Royal Highness paid nothing for me but in gifts, except what he was to have brought me regularly; whatever value it might have been it was in trinkets and those things, it was presents, not in money; I cannot say what the amount of those might be, they all went from me before I left Gloucester-place, which his Royal Highness must be aware of, that I had nothing even to take me out of town. He promised to give me 200*l.* for my journey, but Mr. Adam objected to that to my lawyer, and said 100*l.* was plenty; but the Duke overruled it, and sent me two some time afterwards.

Q. Will you undertake to say that the whole amount of his Royal Highness's advances to you, and for you, did not amount to 5000*l.*?

A. No, I cannot say as to that.

(*By* Mr. Herbert.)

Q. Do you mean to say, that, except

cept the 1,000*l.* a year, which was given for the establishment, and which was shortly paid, you were not paid any more money, and was it not to a very large amount? A. No.

Q. Were you paid no more money besides the 1,000*l.* a year?

A. No, I was not. I certainly complained to his Royal Highness, and he said, he would make some future arrangement. I convinced him that it did not more than sufficient to pay the servants wages and liveries.

Q. Then if I understand you right, you say positively that you had no more to live upon in money than 1,000*l.* a year?

A. No, I should not say that; if I have been very much harrassed for any thing, and could not get it from other quarters, and there was nothing in view, his Royal Highness would then bring me 100*l.* extra, or two, perhaps, but I do not recollect even two; I do one or so, one now and then, but not often.

Q. Then in point of fact, the Committee are to understand you did not receive any considerable sums of money to support your establishment, except the 1,000*l.* a year?

A. No.

Q. In the course of your former examination you stated, that his Royal Highness advanced sums of money when unpleasant things happened, and that unpleasant things were constantly happening; do you adhere to that statement?

A. This is what I have been alluding to now, but it never exceeded 200*l.* or came to that; I never recollect his bringing me 200*l.* over what was the allowance; when I first went to Gloucester-place, the first present that ever his Royal Highness made me was 500*l.*; that went for linen and different things.

Q. State what you mean by constantly; how often in the course of a month?

A. I mean in the course of three years.

Q. How often do you mean unpleasant things have happened, you apply the term constantly?

A. I think it is an improper they frequently happened; bu Dowler has relieved several thi well as his Royal Highness, think oftener; I do not recolle Royal Highness's doing any above twice.

Q. Do you mean to say that in the course of three years is yo planation of constantly?

A. I have said that the wor improperly used.

Q. You have stated, that wh Duke of York quitted you, he le in debt upwards of 2000*l.*; w beyond the sum for which yo the house, and was not the hou to you for the express purpose ing your debts?

A. There was no money le the small debts were paid, a 700*l.* I had paid among the poor of people and the servants, whi lawyer can prove; I have state there was 400*l.* or 500*l.* to Mr. Phillips, for his commission; I l balance coming to me. His Highness has stated, that I had t to pay the debts as well as the but he knew where the trinkets Mr. Comrie can state the whole

(*By* MR. SIMEON.)

Q. How soon after you w live in Gloucester-place did yo tresses begin?

A. A long time after: I w fectly clear of debt when I there.

Q. Did you receive any co able sum beforehand from his Highness, or only receive the ments of 1000*l.* a year when yo there?

A. I had 500*l.* to buy som necessary things in plate and li

Q. That was the 500*l.* you tioned before? A. Yes.

Q. Then that 500*l.* no par went towards the establishment

A. No, it went immediately cessaries.

Q

Q. How soon did you begin the establishment which you stated the other night, as to the number of servants, horses, and other expences?

A. Immediately.

Q. Were you accurate in stating, that what you had from his Royal Highness would only pay the liveries and wages?

A. Very soon afterwards I found it.

Q. Then how did you support this establishment in other respects? how did you feed the servants, and where did you get your monies for the other expences you might have had?

A. Some of the money has come before the House, the manner in which I used to get it.

Q. How soon did that begin after your establishment in Gloucester-place?

A. I should think about half a year perhaps; I never began it till I felt distressed, and the hints I had from his Royal Highness; he told me that I always had more interest than the Queen had, and that I might use it.

Q. Had your distresses begun before the end of the six months; if not, how soon afterwards?

A. I was going on in credit at the beginning.

Q. How much do you think you were indebted at the end of the first six months?

A. I cannot really say, I was always frightened to look at it.

Q. Then you were largely indebted at the end of the first six months?

A. Very much so.

Q. Then your distresses must have begun, and your pressure by bills must have begun, very shortly after that time? A. Yes.

Q. Did they not continue during the whole of the three years?

A. Yes, they did.

Q. Can you say nearly to what number of persons you might be indebted on account of your establishment; what number of creditors you had?

A. That is quite impossible; I have a list of a great many at home, of all that I owe money to.

Q. Do you think you had fewer than fifty?

A. I should think not fewer than fifty; but it might be fifty, or perhaps more.

Q. They were all very pressing?

A. Most of them, as soon as I got into debt, pressed for places.

Q. Did they not press for money?

A. When they found I did not take them up in the other way.

Q. How long were they before they found that?

A. I always felt it was impossible to recommend a tradesman to any place; and one that was about me especially.

Q. Then they soon found they could get no places?

A. Yes, I suppose they did.

Q. Then they immediately proceeded to demand their monies, did not they?

A. Yes, they did: but they were always very willing to serve me, because they were handsomely paid in the end; they charged me quite as high as ever they charged the Duke himself, if not higher.

Q. Did not numbers of them proceed, at the expiration of six months or thereabouts, to bring actions against you?

A. Yes, they did.

Q. Did not many of those actions proceed, so as to incur great costs, besides the debts?

A. Yes, very great indeed.

Q. What do you say you were indebted when the establishment in Gloucester-place broke up?

A. Under 3000*l.*

Q. Then how were those great debts paid that were incurred, and which were so continually pressed for, from the expiration of six months, and greatly swelled by the costs of the actions?

A. I found means in some way or other to satisfy them.

Q. Were not those means supplied directly or indirectly, to a great amount, by the Duke of York?

A. No, never.

Q. Can you then take upon yourself to say, that many bills, upon which actions were brought, and the costs incurred, were none of them satisfied by the Duke of York?

A. No.

Q. How do you know that?

A. I know it as well as I know any other circumstance.

Q. Did you pay them yourself?

A. Yes.

Q. How long after your living in Gloucester-place was it before you were enabled to get any sums of money, by the patronage you talked of?

A. Perhaps three or four months, or five months, I cannot exactly say.

Q. Can you say to what amount you got by it in the first year?

A. No, I cannot, I never took any account.

Q. Can you say to what amount you got by it in the course of the three years?

A. No, I cannot, I never took any account whatever of any thing.

Q. Did the Duke of York defray the charge of no part of your expenditure, such as horses and carriages, independent of the allowance?

A. He bought one carriage, which I stated before.

Q. Did he purchase any horses?

A. For about six months I had job horses, the others I always purchased myself. I lost about 900*l.* in one year, in the purchase of horses.

Q. Were those horses kept at the expence of the Duke of York, exclusive of the allowance?

A. No, they were not.

(*By* MR. HOLMES.)

Q. Do you know the father of Miss Taylor, who was examined here the other night? A. I do.

Q. How long have you known him?

A. I have known him about ten years, but I have never seen him above half a dozen times.

Q. Have you always known him by the name of Taylor?

A. Always.

Q. Did you ever state to his Royal Highness that 1000*l.* a year was insufficient to support your establishment?

A. Yes, he knew it.

Q. Miss Taylor stated herself to be very poor; have you been kind to her, and made her presents from time to time? A. Yes, I have.

Q. Have you lately?

A. Yes; I have not within these two months; about Christmas she told me she should get the money for her scholars, it was previous to that I assisted her.

Q. To what amount did you assist her?

A. Very trifling, I had not much within my own power.

(*By* MR. WARDLE.)

Q. Did the Duke of York ever send out bills in your name, for which he received the money himself?

A. I have asked for money for his Royal Highness of a gentleman, but the Duke wanted to give a longer bill for it.

Q. Of your own knowledge, can you say, that the Duke of York was in the habit of drawing bills at date, in which he placed your name?

A. No.

Q. Do you know that these bills, by which the plate at Messrs. Birketts was paid for, were drawn in the way alluded to?

A. I never saw the bills; I should rather suppose they were drawn upon himself, and signed Frederick.

Q. Do you recollect ever getting any money for the Duke of York, upon any bills drawn by himself, or any paper of that description, that he gave you with his name upon it?

A. No; I do not think that I did.

Q. You spoke of having a house at Weybridge; was that house ever repaired at your expence?

A. Yes, it was thoroughly repaired, and I built a two-stall stable there; I laid out between 200*l.* and 300*l.* upon it, if not more; I believe more; there was 40*l.* or 50*l.* alone for oil-cloth, to screen his Royal Highness to

n his visits, when he was going
rds and forwards, from the
urs.
)o you know what your dia-
:ost the Duke of York?
o, I do not? I never asked.
/ere those diamonds ever in
luring the period you were
: Duke of York?
:ry frequently; and I recollect
en Mr. Dowler paid me 800*l.*
them out; so that Parker's
uld convince about the time
got his appointment, and I
l the money from him; it was
wo or three days of his being
l, either after or before.
as the Duke of York acquaint-
the circumstance of your dia-
eing in pawn?
s; because he gave me his
ll once, and something else,
to Parker; Parker can shew
ooks who it was payable to.
o you recollect the amount of
l? A. 400*l.*
ou have this night stated, that
ou called yourself Mrs. Dow-
nust have been in joke; and
e stated also, that when you
Hampstead, you had not call-
elf Mrs. Dowler?
lo, I had not, never.
tate whether you might not
ve said any thing of that kind

might have said that in joke;
:ver represented myself as Mrs.
, nor as any thing but exactly
im, except at the Court Mar-

)id you receive any letters
ou were at Hampstead?
es, I did.
)o you recollect how those
were directed; were they to
arke?
o Mrs. Clarke, or else to
Thompson, for I was afraid
arrested; or to Mrs. Nichols,
nan's name who waited upon
acted as my cook; she was
tress of the house.
)o you recollect any letter or
irected to you as Mrs. Dowler?

A. No, never; I never had such a thing.

Q. Was Miss Taylor in the habit of visiting you frequently in Gloucester-place?

A. She almost used to live constantly with me there, she would be there two or three days in a week; that was when her father's misfortunes were beginning.

Q. Was Miss Taylor in the habit of dining, when she was there, with the Duke of York and yourself?

A. Very frequently.

Q. Do you recollect the names of the servants that used to wait upon you at dinner in general?

A. I never used to let the livery servants come into the room, very seldom or never, the butler in general; the other servants used to bring the tray to the door; but she has been seen in the drawing-room by the maid-servants, as well as the other men and the butler.

Q. Had you a foot-boy of the name of Samuel Carter?

A. Yes, I had; but Colonel Wardle told me he would not mention that. *(A laugh.)*

Q. State whether Samuel Carter was in livery or not?

A. No, he never wore livery.

Q. Did he attend your carriage when you went out?

A. Sometimes, if I had no servant in the way; but I liked to spare him as much as I could.

Q. But he was in the habit of waiting at dinner upon the Duke of York, yourself, and Miss Taylor?

A. Yes, he was.

Q. He constantly waited at dinner during the period he was in your service? A. Yes.

Q. How long was he in your service?

A. I should think about a twelvemonth, not all that time in Gloucester-place.

Q. Where did he live before he came to you?

A. With Captain Sutton.

Q. As his foot-boy, or in what capacity?

A. Captain Sutton was lame, and he was every thing to him.

Q. At Gloucester-place did he do the work jointly with the other footmen? A. Yes.

Q. Was he perfectly well known to his Royal Highness the Commander in Chief?

A. Yes, he was.

Q. What is become of him?

A. He is in the West Indies.

Q. Did you get him a commission in the army? A. Yes I did.

Q. In what regiment did you get him a commission?

A. Where he is now, in the 16th foot; I think he is one of the Staff.

Q. Do you know why the Duke of York withdrew his protection from you?

A. Mr. Adam states that was in consequence of my pleading my marriage to a bill of 130*l.*; but I can prove the contrary to that, as I had done it once before, and he knew it; and the man had sent threatening letters to him, and to the whole of his Royal Highness's family; his name is Charman, a silversmith in St. James's-street; I have my own opinion of the separation.

Q. Did his Royal Highness assign any reason for it?

A. No, he did not; but I guess the reason

Q. Was it on account of your interferences in military promotions?

A. No, it was what Mr. Adam stated, upon money matters; but not that one of the bills.

Q. You stated, that you had been frequently conversant in military promotions, and sometimes successfully; can you confidently state, and risk your veracity upon it, that the Duke of York was ever privy to one or more of those transactions?

A. To the whole.

(By the ATTORNEY GENERAL.)

Q. Do you mean to state, that you did not represent that Mr. Dowler was your husband when you were at Hampstead?

A. No, I did not represent.

Q. Do you mean to state, did not say that Mr. Dowler husband?

A. I might have said so sibly, but never serious, beca must have known better, w said it to.

Q. Did you or did you say, that Mr. Dowler was y band?

A. I think it is very possil say so, in the manner I have s

Q. Do not you know that say that Mr. Dowler was yc band? A. No, I do not.

Q. Did you not assign a re keeping your marriage with cret?

A. I do not recollect that could only have said it to s who was very intimate with knew all about me, and cou no view in it.

Q. Was Mr. Dowler eve same house with you at Ham

A. Yes, he was very fre during the time he was in E

Q. Did he sleep in the sam

A. Yes, he did, several ti not with me.

Q. Had Mr. Dowler any a ance with any person in t except yourself?

A. There was no one ther myself and my children, and young lady, and Captain Th

Q. In whose house were yo time?

A. Mr. Nichols's house.

Q. Do you mean to say, th the time you resided in Gl place, a part of the expence establishment were not def the Duke, besides the allow he paid to you?

A. I have stated all I can r

Q. Do you mean to say, t of the bills for the constant were paid by his Royal Hig

A. Yes, I do.

Q. Did not his Royal Hig for the furniture of the hous

A. I did not mean to that, stood constant expences; I the furniture as constant exp

Q. Did not the Duke pay for the furniture?

A. Yes, all of it except the glass; I believe that cost me four or five hundred pounds. The chandeliers, those I paid for myself.

Q. Did not his Royal Highness pay for the wine?

A. He sent in a great deal of wine, but I bought wine myself; I kept a great deal of company, and a great deal was drank.

Q. Do you mean to say that a chief part of the expences for wine was not defrayed by his Royal Highness?

A. His Royal Highness sent in wine, but it never was enough; I purchased wine myself, both Claret and Madeira; and even that he did send in, he used to scold very much that it went too fast.

Q. To whom did you apply for the commission for Sam. Carter in the 16th regiment?

A. To his Royal Highness.

Q. Did you apply to his Royal Highness for a commission for Sam. Carter in the name of Samuel Carter?

A. Yes; it was his real name.

Q. Is it the name in which he is gazetted? A. Yes.

Q. Was that the name by which he was usually called in your family, and even to his Royal Highness, the Commander in Chief?

A. Yes, it was.

Q. Was his Royal Highness aware that it was the same person who had occasionally waited upon him at your table, for whom you asked that commission? A. Yes, he was.

Q. Was he recommended by any body beside yourself?

A. No; I suppose it is in the Office; some one has recommended him.

Q. What interval elapsed from the time Carter was in your service till he obtained the commission?

A. I should think he was living with me near a twelvemonth altogether, not entirely in Gloucester-place, but in Tavistock-place likewise.

Q. Did he go immediately from your service into the army?

A. Yes he did.

Q. Did his Royal Highness see Samuel Carter subsequent to his being gazetted?

A. Yes, he did.

Q. Did he speak to Samuel Carter on the subject of his having a commission, either before or after he obtained the commission?

A. I do not know what his Royal Highness said to him; but he saw him after he had been down to the Isle of Wight, and joined the depôt; he came up to me for some money, and his Royal Highness saw him in Gloucester-place.

Q. Is Samuel Carter any relation of yours?

A. No, not at all.

Q. What part of the time did Carter live with you in Gloucester-place?

A. I should think five or six months; I cannot exactly say, but I know he lived with me many months.

Q. At the time Miss Taylor was dining so constantly with you as you represent, was Peirson your butler?

A. He waited upon her while he was there, and the other also; Sam. Carter has been waiting while she has been with us, and another butler, who has left me.

Q. You have stated, that Samuel Carter was a boy; what age was he when he got his commission?

A. I called him a boy because he was short; I believe he was eighteen or nineteen, of a proper age for the commission.

[*The witness was directed to withdraw.*]

(*The following questions were then put to* MR. ADAM.)

Q. It appears that an annuity of 400l. a year was to be paid conditionally to Mrs. Clarke; were you consulted by the Duke of York whether that annuity should or not be paid?

A. I have already stated all I know respecting that annuity, and if the hon. gentleman will refer to the evidence I have given, he will find that I know

I know nothing about the payment of the annuity.

(By Sir James Hall.)

Q. Do you confirm the statement made by Mrs. Clarke, that she had an allowance of only 1000*l.* a year?

A. If the worthy Baronet will take the trouble to peruse the evidence I have already given, he will find it perfectly inconsistent with any account I have given that I could possibly answer that question, because I am totally ignorant, as I have already said, of all payments made by the Duke of York, except those which fell under my cognizance as trustee.

The Chairman was directed to report progress, and ask leave to sit again. The House adjourned at half past three oclock.

SEVENTH

SEVENTH DAY.

TUESDAY, FEBRUARY 14th, 1809.

---

the motion of COLONEL WARDLE, the House went into
mittee further to investigate the conduct of His Royal
ess the Commander in Chief.
ONEL WARDLE then intimated, that it was his intention to
witness who could speak with respect to the note that Peir-
ie butler of Mrs. Clarke, mentioned having been sent out
ange at a confectioner's; he accordingly called MRS.
MAN.

Do you recollect any thing of
, the butler to Mrs. Clarke,
to have a note changed the
nd of July 1805?
Yes, I do.
tate where you live.
No. 6, Vere-street.
n what business are you en-

A confectioner.
tate exactly what passed with
to that note.
cannot recollect exactly what
but I did not change the

Do you recollect Peirson
g a note to be changed at
me?
He did bring a note, but I do
collect seeing the note, and I
t change it.
Have you no memorandums
you could refer to?
No.

(*By* MR. PERCEVAL.)

Perhaps you do not know the
t of the note?
I think he said it was a 100*l.*

You did not see it, but he
?
I did not see it.

Q. Do you recollect with any precision the time, the day, or the month in which it happened?

A. I do not.

Q. Some time in July?

A. I cannot say what time it was, but I recollect the circumstance of his coming with the note.

Q. You cannot even be sure as to the month in which it took place?

A. No.

Q. Was he frequently in the habit of coming to your house?

A. Frequently, to order things for Mrs. Clarke.

(*By* GENERAL LOFTUS.)

Q. To get notes changed?

A. I never recollect his changing any thing more than a small note, which might be to pay any little bills she had contracted.

Q. You do not, of your own knowledge, know this was not a small note?

A. No, I did not see it; he merely asked me, whether I could change such a note.

Q. You did not see the note, and did not change it? A. No.

(*By* MR. WILBERFORCE.)

Q. Do you recollect what was the

largest

largest note you ever changed before for him?

A. I do not, but none of any high amount I never changed.

Q. Are you certain that Peirson told you this was a large note?

A. To the best of my recollection he said a 100*l.* note.

(*By* Lord Folkstone.)

Q. Do you recollect whether it was in the summer time?

A. I cannot say positively, but I think it was.

(*By another* Member.)

Q. Do you not carry on business in partnership with another person?

A. There is another person in the concern with Mr. Bridgman, but not exactly a partner; but he knew nothing of the transaction of the note.

Q. Did you in general have the management of the money concerns, or the partner, in the year 1805?

A. He had nothing to do with it, he was in the country.

The witness was directed to withdraw.]

(Mr. Alexander Shaw *was called in, and the letter from Lieut.-Colonel Shaw to Mrs. Clarke, given in evidence the preceding day, being shewn to him, he was examined by* Mr. Wardle, *as follows:*)

Q. Do you know Colonel Shaw's hand-writing?

A. I think I ought to know it.

Q. Do you know that to be the hand-writing of Colonel Shaw?

A. I think I know it to be.

Q. Did you ever see him write?

A. I have.

Q. Do you state that to be his hand-writing?

A. I believe it is.

Q. Have you any doubt about it?

A. I have no doubt about it; it is very like, and I believe it is.

Q. Did you ever see Colonel Shaw write?

A. Colonel Shaw is my son, and we have lived as father and son ought to do; as good friends.

[*The witness was directed t draw.*]

(Mr. Charles Shaw *was nex in, and examined by* Mr. dle.)

Q. Of your own knowled you know that 200*l.* was re to Mrs. Clarke on account of nel Shaw?

A. No, I do not; but I that 300*l.* was.

Q. State at what period tha was remitted.

A. I received a letter from nel Shaw, mentioning that he ed to convey 300*l.* to his frie requesting that I would recei sum of Mr. Coutt's, having s an order to that effect, and would send it by a careful ha dressed to Mrs. Clarke, N Gloucester-place. I receiv money from Mr. Coutts, in quence of the order, and deli myself at the door.

Q. When was that?

A. I unfortunately have k papers or any letters; but, sequence of the summons House, I called at Mr. Cou day, and found from their that I received it on the 9th o 1806; and I perfectly recolle I delivered it that day at Clarke's door.

Q. Was this a remittanc Colonel Shaw from the Cape

A. From Bath; he was th mediately to leave Bath for mouth to embark for the Cap letter, I perfectly recollect, that though he had received pointment through the influ his friends——

Q. Then you have got the

A. I unfortunately have for I destroyed it soon after barked; but I perfectly re that he stated, that though received the appointment t the influence of his own frien Clarke had shewn a disposi serve him; that he had alread

0*l.* previous to this, and had
ed an application for the last
y way of loan, and that he
th to refuse her, because he
d there was a disposition to
im, though the appointment
ertainly through the influence
friend, whom I knew to have
ir Harry Burrard, who had in-
d himself very much upon all
ns for this gentleman, and
ne appointment was got by
at that, as this lady has shewn
osition to serve him, he had
equence sent this 300*l.* that
expressly given by way of
In consequence of what I
-day in the news-paper, that
larke declared in this House
s gentleman had used her ill,
l not fulfilled all his engage-
I beg to declare from my
owledge, and I am ready to
vidence to the bar of this
that Lieutenant-Colonel
a man of as high honour and
an officer as any man in the
service, and is incapable of
any pecuniary promise that
not literally, faithfully, and
ably supported. I beg par-
I have been too warm; but
ch a reflection upon this gen-
I am willing to produce
from his Colonel down-
who will state that he never
l an engagement he had
r his life; his services are
own.

Witness was directed to with-

EL GORDON *was called in, and mined by* MR. WARDLE.)

'an you state when Major
as appointed to be Assistant
-Master General, and at
riod he was put upon the
?

beg to ask, whether you would wish me to answer that question as it is put to me, or to read the whole proceeding respecting Major Shaw's appointment, from the first to the last?

Q. Answer the question at first, as it is put.

A. I do not believe that I have got the document in my possession which can exactly answer that question; it must have been about the end of March 1806, or the beginning of April.

Q. Do you mean that it was the end of March 1806 or the beginning of April that he was appointed Barrack-Master General?

A. I believe he was appointed Deputy Barrack-Master General, and placed upon half-pay immediately afterwards.

Q. Do you know how soon afterwards he was placed upon the half-pay?

A. I cannot from my recollection at this moment ascertain the dates, but they are very easily ascertained; a reference to the Army List, or the documents in the office, or the Gazette, would ascertain it in a moment.

Q. Are there documents in your office that would ascertain it?

A. Yes, there are.

(*By* MR. PERCEVAL.)

Q. State any thing you know to the Committee respecting the applications that were made for Colonel Shaw's situation.

A. With the permission of the House, I will read all the documents in my possession with respect to the appointment of Major Shaw, Lieutenant-Colonel Shaw. The first document is a letter from Lieutenant-General Burrard to me, dated August the 11th, 1804; it is not dated where from, but it was most likely from the Orderly-Room, in the Guards.

[Colonel Gordon read the letter.]

" Dear Sir, " Aug. 11th 1804.

" I am so much employed on a Board of Clothing, that I cannot do myself the pleasure of waiting upon you. The enclosed will inform you of the situation of a friend of mine, whom I wish much to serve. If Col. Clinton is in London, he can tell you exactly how he stands; as can Col. Loraine.

" If you can put me in the way of serving him, I shall be extremely obliged to you. He has served long, always abroad, and very gallantly, and his father was a brother captain and friend many years back. I request you to excuse the liberty I take and trouble I give you, and believe me truly,

Your most obt

HARRY BURRARD."

" Lt.-Col. Gordon,
&c. &c. &c."

The next document is my answer to that letter.

[Colonel Gordon read the answer.]

(Copy.)

" Dear General, " Horse-Guards, 16th August 1804.

" I fear that your wishes in behalf of Major Shaw cannot be complied with, His Royal Highness being of opinion, that he must join his regiment before any further recommendation in his favour can be attended to.

Yours, &c.

(Signed) J. W. GORDON."

" M. General Burrard,
&c. &c. &c."

The next document is Sir Harry Burrard's to me, August the 27th.

[Colonel Gordon read the letter.]

" My dear Sir, " August 27th, 1804.

" I shall be obliged to you if you will let me know whether Clinton has spoken to you about Major Shaw; and if you think he may be likely to see the Commander in Chief to-morrow. He has found a major of the 39th eager to go to Ceylon, but he is himself preparing as fast as he can, however distressing it is to him.

I am truly yours,

H. BURRARD."

The next is my answer to that letter.

[Colonel Gordon read the letter.]

(Copy.)

" Dear General, " Horse-Guards, 28th August 1804.

" Clinton spoke to me with much warmth about Major Shaw, but having twice mentioned his name and wishes to the Commander in Chief, I cannot again venture to do it.

I recommended

"I recommended Major Shaw to speak to His Royal Highness, and state his situation.

Yours,

(Signed) J. W. GORDON."

"M. General Burrard,
&c. &c. &c."

The next letter that appears upon this subject is from Sir Harry Burrard to me on the 27th of March 1805.

[Colonel Gordon read the letter.]

Put by.

"Private and confidential."

"My dear Sir, "March 27th, 1805.

"My friend Shawe's health is by no means re-established, and his family still in extreme distress from their recent losses and misfortune. I could therefore wish his leave to be extended for two months, and I am sure it would prevent infinite distress to him. If you can manage it for me, I shall be extremely obliged to you.

"I have heard it whispered, that it was possible rank could be obtained by raising men. If it is so, and this could be allowed him, it would most materially serve him, and do away the mortification I am afraid my want of skill has occasioned; and I should not have to reproach myself *at any rate* with want of success.

"I am afraid his leave will be soon out, and his anxiety will, of course, be great. Pray excuse the trouble I give you, and be assured that nothing can afford me more pleasure than *serving* you, as I really am

Your obliged hum. servt,

HARRY BURRARD"

The next is my answer to that letter, dated the 28th of March.

[Colonel Gordon read the letter.]

(Copy.) "Horse-Guards,

"Dear General, 28th March, 1805.

"His Royal Highness has much pleasure in complying with your request for a prolongation of leave of absence for Major Shaw; which leave has been extended for two months, from the expiration of his present leave, and the same has been notified to the Adjutant-General.

"At the same time, it is but just to hint to Major Shaw, that there is a duty to the service, to which the Commander in Chief, however anxious His Royal Highness may be to relieve the dis-

tresses of individuals, must give attention; and, if the circumstances of Major Shaw are such as to preclude him from joining on so remote a service, he should retire upon the half-pay until some more favourable opportunity.

Ever yours, &c.
(Signed) J. W. GORDON."

" P. S. There is no intention at present on the part of Government to raise men for rank in the infantry."

" Lt General Burrard,
&c. &c. &c."

The next is from General Burrard to me on the 10th of May following.

[Colonel Gordon read the letter.]

" *C. B.*
" *Speak to me.*"

" My Dear Sir, " May 10th 1805.

" I cannot sufficiently acknowledge, in General Archer's name and my own, how much we feel obligation to His Royal Highness; I sincerely hope Archer will have opportunity of evincing his gratitude and zeal.

" Since I spoke to you concerning Major Shaw, he has called upon me to inform me that he cannot, conditionally *not to pay he does not proceed to India*, get a passage secured, and that the captains require 400*l*. Now, as he is led to have some hopes still that an opportunity may offer to promote him, from what His Royal Highness so graciously said, he feels a reluctance to sink so large a sum, if there is a possibility to avoid it. If you could therefore, soon again recal him to the Duke, he would abide by whatever was the determination of His Royal Highness.

Excuse my troubling you, and believe me truly
Your faithful and obliged humble servant,
HARRY BURRARD."

" Lt Col. Gordon."

The next is my answer to that letter.

[Colonel Gordon read the letter.]

" Dear General, " Horse-Guards, 13th May, 1805."

" I have laid your letter of the 10th instant before the Commander

mander in Chief, and am directed to acquaint you, that His Royal Highness sees no prospect of any early opportunity of complying with Major Shaw's wishes; and that, therefore, it is advisable he should proceed to join his regiment by the earliest conveyance.

I have, &c.
(Signed) J. W. GORDON."

" Lt Genl H. Burrard,
&c. &c. &c."

The next that I hold in my hand is March 1806, from Sir Harry Burrard to me.

[Colonel Gordon read the letter.]

" (Confidential.)"

" My dear Gordon, March 26, 06.

" I hope you will pardon the anxiety of a soldier to get promotion; and of his friend, and the very ancient one of his old father, to assist him in it, particularly as he is well assured of his zeal and general worth. Under this presumption I enclose a letter from Major Shaw, with my earnest hopes that should any thing turn up, in which you can bring his name forward, that he may not be forgotten. I enclose it for your private reading, and request at your leisure you will return it. I will at any time *attend you*, to prevent you the trouble of writing, or rather the *time* of it, for I know the former you do not mind. Your messenger knows where to find me, as I am at this Orderly Room for two or three hours most days.

I am truly yours, with great regard,
HARRY BURRARD."

" Mr. D.
I shall be glad to speak to Genl Burrard this evening if possible, if not, about 2 to-morrow."

The inclosure is from Major Shaw to Sir Harry Burrard, dated Pevensey Barracks, 19th March, 1806.

[Colonel Gordon read it.]

(Inclosure.)

" Pevensey Barracks,
" My dear Sir, 19th March, 1806.

" I fear that you must think me presuming on your many kindnesses

nesses in again troubling you, and, being without apology, I must rely entirely on your goodness. In making, however, my present request, let me beg that, if attended with any circumstances unpleasant to you, that you bestow no further consideration, than pardoning the liberty of my having made it.

"I shall premise with stating, that previously to my removal from the Ceylon Regiment, His Royal Highness had been graciously pleased to promise me promotion, on a favourable opportunity offering; and on my joining the 40th regiment, I repeated my desire of purchasing, to which I now stand noted by a letter from Colonel Gordon. Having had further assurances given to me of His Royal Highness's favourable intentions, in the admission of my services, being now nearly 23 years in His Majesty's army, that my cotemporaries are generally Colonels or old Lieutenant Colonels, and that I experienced the mortification of being purchased over by an officer from another regiment, and by many years my junior in the profession; from these circumstances, I am induced to hope, that should Colonel Gordon favor me by bringing my case to His Royal Highness's notice, that I might benefit by some mark of favour in the military arrangements that are expected to take place. It is in this expectation that I venture to trouble you, and I shall feel myself sincerely obliged by your mentioning to Colonel Gordon (should a desirable opportunity offer) my services, disappointments, and present hopes, and I shall esteem it a particular favour his bringing my case at this period to His Royal Highness's remembrance.

"I shall no longer trespass on your time but in offering my best respects to Mrs. Burrard. I remain with sincere gratitude,

My dear Sir,

Yours most faithfully, and much obliged

J. SHAW."

The next letter is one from General Burrard, March 29th, 1806.

[Colonel Gordon read the letter.]

"(Private.)"

"My dear Sir, "March 29th, 06.

"To shorten the business, I send you Shaw's letter, which is nothing more than to say, that he gratefully will accept, if the Deputy Barrack-Mastercy at the Cape can be obtained, with the rank of Lieut-Col, and go there in *three* weeks. I explained *that*; and also, that (if it could be obtained) he would be

be put on half-pay as soon as it could be done. His request is to come to London immediately, if he can succeed.

I am truly

Your obliged servt,

"Pray return ye letter." H. BURRARD."

"Lt-Col Gordon."

"C. L.
The appointment is now to go on."

I did not return the letter, and I now have it in my hand; it is a letter from Colonel Shaw to General Burrard.

[Colonel Gordon read the letter.]

(Inclosure.)

"My dear Sir, "Pevensey Barracks, 28th March, 1806.

"I am just honoured with your letter, and I trust you will believe that I feel, though I shall not attempt to express my gratitude, for your present and many kindnesses towards me, and I can only add, that my sense of obligation can alone cease with my existence.

"I have, as far as the present time allowed, given every consideration to the proposal you have made me, and should conceive myself most fortunate in succeeding to it, and should be ready to proceed in the time you mention. I have only to request, that should the decision prove favourable, that I might be permitted an immediate leave of absence, as I should have a great deal to arrange in regard to my family. It would be my wish, could I procure an accommodation, to take my wife and two of my children out with me, and to leave the others in this country.

"As our warning for the post is very short, I must conclude, begging my best respects to Mrs. Burrard, and that you will believe me, with every sentiment of sincere gratitude,

Your most sincerely and faithfully,

"General Burrard." J. SHAW."

The mark I put upon this letter was, "The appointment is now to go on;" it did go on, he was appointed Deputy Barrack-Master-General at the Cape, with the rank of Lieutenant-Colonel, and, as soon as possible, was put upon half-pay. I have further to state to the Committee, that when this subject was mentioned in the House some evenings ago, I sent to Sir Harry Burrard, to request he would bring to his recollection all the circumstances that took place upon the subject of Shaw's appointment. Sir Harry

Burrard

Burrard waited upon me on the 30th of January last, and put this paper into my hands.

[Colonel Gordon read the letter, and likewise another sent to him the following day by Sir Harry Burrard, stating the origin of that officer's acquaintance with Lieutenant-Colonel Shaw, his merits, and the circumstances under which he was placed, and reviving the detail of the application he had formerly made on his behalf.]

On the motion of MR. CHARLES ADAMS, the witness was ordered to withdraw, and that gentleman stated the propriety of these letters being proved to be Lieutenant-General Burrard's hand-writing, before they could be produced as evidence.

MR. PERCEVAL said, he had some doubts as to the propriety of receiving these letters as evidence at all; probably the best course would be to direct them to be put out of the minutes.

The witness was recalled.

(*By* MR. WARDLE.)

Q. In the first letter that you have read, Colonel Shaw refers to some promises made him of promotion by his Royal Highness the Commander in Chief; do you know what those promises were?

A. I cannot state exactly that I do know, but I supposed them to have been the usual answers given to officers who make application for promotion, that their names were noted, and would be considered with the names of other officers of equal pretensions, when future opportunities offered.

Q. You do not know of any other promise which Major Shaw had received?

A. No, I do not.

Q. Is it usual for field officers on the Staff to be put on half-pay?

A. When a field officer accepts a Staff appointment abroad, a permanent Staff appointment, it is usual for him to be placed upon the half-pay; it is the general rule of the army: there are exceptions, which I can explain when called upon.

Q. State the exceptions?

A. The best way for me to state the exceptions, would be to read to the Committee a list of all the permanent Staff situations, and to state all that are upon half-pay, and who are not, and why.

Q. Was the officer who held the appointment before Major Shaw, on half-pay or full-pay?

A. If I recollect right, Major Shaw was the first person who held it; he was appointed upon the capture of the Colony of the Cape of Good Hope.

[Colonel Gordon delivered in a list of the Staff Officers on Foreign Stations.]

LIST

LIST OF THE STAFF OFFICERS ON FOREIGN STATIONS.

EAST INDIES

Adjutant General, Lt. Col. Sir W. Keir.

Cornet 15 Drs.	2 June	1793.
Lieut.	19 Feb.	93.
Capt. 6 D. G.	6 July	94.
Maj.	6 Jan.	96.
Lt. Col. 22 Drs.	3 Dec.	1800.
½ Pay	25 June	02.

Deputy Adj. Gen. Lt. Col. Campbell, 33 Regt.

Lieut. 73 F.	30 Sept.	1788.
74	1 Sept.	96.
Capt. 51	14 June	1800.
Maj. 27	24 Nov.	1802.
½ Pay	Ditto.	
33 F.	27 Sept.	03.
Lt. Col.	6 Aug.	07.

Qr. Master General, Col. Eden, 84 Regt.

Ens. 46 F.	26 Aug.	1786.
Lieut.	1 May	1790.
Capt. 55 F.	3 June	95.
Maj. 79	16 Dec.	95.
Lt. Col.	15 Aug.	98.
84	11 Dec.	1806.

Dep. Qr. Mr. Gen. Maj. Johnson, 77 Regt.

Ens. 102 F.		
Lieut. 92	8 July	1792.
½ Pay		1794.
Lieut. 22 F.	17 Dec.	1802.
Capt. 61	9 July	1803.
77	3 Sept.	1803.
Brevet Maj.	Mar.	1808.

CEYLON

Dep. Adj. Gen. Lt. Col. H. Q. Brownrigg, Baillie's Regt.

Lieut. 75 F.	12 Nov.	1788.
Capt. 57	3 Sept.	95.
75	28 Oct.	95.
Maj. 1st. Ceylon Rt.	25 Apr.	1802.
Lt. Col. 3d. Do.	7 Apr.	1804.

Dep. Qr. Mr. Gen. Maj. J. Wilson, 12 Foot.

Ens. Ind.	4 Dec.	1793.
Lieut. 87 F.	5 Dec.	93.
Capt. 12	15 June	96.
Maj.	27 June	1802.

CAPE OF GOOD HOPE

Dep. Adj. Gen. Lt. Col. Sorel, ½ Pay.

Ens. 31 F.	18 Aug.	1790.
Lieut.	31 Aug.	93.
Capt.	1 Sept.	95.
½ P.		1802.
18	25 May	03.
Maj. 43	11 Aug.	04.
½ Pay	19 May	08.

Dep. Qr. Mr. Gen. Lt. Col. Harcourt.

Ens. 127 F.	11 Dec.	1794.
Lieut. 99	20 Ditto.	
16 Drs.	7 Apr.	95.
Capt. 20 F.	22 Oct.	99.
Maj. 40 F.	25 Dec.	02.
½ P.	Ditto.	

CAPE OF GOOD HOPE	Dep. Barrack Mast. General, Lieut. Col. Shaw, ½ Pay.	Lieut. 77 F.	25 Dec.	1787.
		Capt.	24 Jan.	1796.
		Maj. 1 Ceylon R.	5 May	1804.
		 27	11 Sept.	1805.
		 40	25 Oct.	05.
		½ Pay	8 May	06.
MADEIRA ...	Deputy Adj. Gen. Lt. Col. Darling.	Ens. 5 F.	8 July	1780.
		Lieut. 5 F.	25 Sept.	1783.
		Capt. 68	30 May	1795.
		Maj. Q. M. Gen. Staff...	31 Dec.	1803.
		 84	18 Aug.	1808.
		½ Pay	25 Ditto.	
	Dep. Qr. Mr. Gen. Maj. Austin.	Ens. 85 F.	30 Jan.	1800.
		Lieut.	22 July	1800.
		½ Pay	20 Aug.	1803.
		 69	13 Nov.	1805.
		Capt. 58 F.	28 Ditto.	
JAMAICA.....	Deputy Adj. Gen. Lt. Col. Horsford, 18 Regt.	Ens. 67 F.	15 Aug.	1787.
		Lieut. 67 F.	14 Oct.	1790.
		Capt. 58	17 Sept.	94.
		Maj. 54	4 June	96.
		 59	30 Aug.	99.
		Lt. Col. 4 W. I. R.	28 Aug.	1801.
		 18	26 Jan.	09.
	Dep. Qr. Mr. Gen. Lt. Col. Myers, 70 Regt.	Ens. 69 F.	11 April	1795.
		Lieut. 40	22 Dec.	95.
		Capt.	17 Jan.	99.
		..... 23 Drs.	28 May	1801.
		½ Pay		1802.
		..... 16 Drs.	25 May	1803.
		..... 4 W. I. R.	24 Nov.	1804.
		Maj. 70	1 Oct.	1804.
WEST INDIES	Qr. Mast. and Barrack Mast. General, B. Gen. Gledstanes.	Ens. 58 F.	22 Feb.	1771.
		Lieut.	28 Apr.	74.
		Capt. 57	22 Sept.	83.
		Maj.	1 Mar.	94.
		Lt. Col.	1 Sept.	95.
	Dep. Qr. Mast. and Barrack Mast. Gen. Lt. Col. Gordon, Half-pay.	Ens. 60 F.	6 Jan.	1781.
		Lieut.	26 Nov.	84.
		Capt.	10 July	94.
		Maj.	16 May	1800.
		Lt. Col.	9 Mar.	02.
		½ Pay	4 Jan.	06.
	Adjutant General, B. Gen. Ramsay.	Lt. Col. York Rangers...	25 May	95.
		..... 60 F.	30 Dec.	97.
	Dep. Adj. Gen. Lt. Col. Campbell, 54 Regt.	Ens. 6 W. I. R.	11 Aug.	1797.
		 67	29 Oct.	98.
		Lt....57	23 Aug.	99.
		 95	1 Sept.	1800.
		Capt.	4 June	1801.
		Maj. 43	24 Jan.	1805.
		 54	20 Feb.	1806.

(continued.)

	Adjutant General, Lt. Col. Baynes, Nova Scotia Fenc.	Ens. 82 F.	13 May	1783.
		½ Pay	July	84.
		 32	4 Oct.	1786.
		Lieut. 32 F.	18 Aug.	1790.
		Capt.	25 Mar.	95.
		Maj. 76	23 Apr.	1800.
		Lt. Col. 5. F.	14 Sept.	1804.
		½ Pay	May	1805.
		.....4 G. B.	4 Dec.	1806.
		.....Nova Scotia Fenc.	17 Sept.	1807.
	Dep. Adj. Gen. Lt. Col. Chabot, Half-pay 24 Drs.	Cornet 18 Drs.	30 Apr.	1793.
		Lieut. 18 Drs.	19 Dec.	1793.
		Capt.	23 July	99.
		Maj. 27 F.	24 Oct.	02.
		½ P.	Dittò.	
		..... 18 Drs.	18 Nov.	02.
ADA.....		½ Pay	12 Feb.	1807.
	Qr. Master General, Lt. Col. Kempt, 81 Regt.	Ens. 101 F.	31 Mar.	1783.
		Lieut.	18 Aug.	84.
		½ Pay		85.
		Dº 58 F.	2 July	94.
		Capt. 113 F.	30 May	94.
		Maj.	18 Sept.	94.
		½ Pay	Mar.	98.
		..... 66 F.	9 July	1803.
		Lt. Col. 81	23 July	1803.
	Dep. Qr. Mr. Gen. Lt. Col. Pye, ½ Pay.	Ens. 23 F.	24 Sept.	1787.
		Lieut. 13	13 Sept.	1791.
		Capt. 1 W. I. R.	1 July	95.
		Maj. 6 W. I. R.	3 Mar.	1804.
		 32	1 Aug.	1804.
		 54	23 Nov.	1804.
		½ Pay	20 Feb.	1806.
	Deputy Adj. Gen. Maj. Bowyer, 59 Regt.	Ens. 55 F.	31 Aug.	93.
		Lieut. 55 F.	31 Jan.	94.
NOVA COTIA		Lieut. 7 F.	24 Aug.	1795.
		Capt. 59	25 July	1798.
	Dep. Qr. Mr. Gen. Lt. Col. Tinling, 1 Gds.	Ens. 20 F.	1 June	1778.
		Lieut.	3 Dec.	1785.
		Capt.	14 Mar.	1794.
		.....1 Gds.	15 Jan.	98.
	Deputy Adj. Gen. Lt. Col. Sewell, 48 Regt.	Ens. 51 F.	30 Sept.	1795.
		Lieut.	2 June	1796.
		Capt. 62	4 Oct.	1797.
		Maj. 60	16 June	1803.
LTA.....		 48	24 Nov.	03.
	Dep. Qr. Mr. Gen. Lt. Col. Phillips, 44 Regt.	Ens. 33 F.	20 June	1783.
		 44	21 May	86.
		Lieut. 44 F.	31 Aug.	1793.
		Capt.	2 Sept.	1795.
		Maj.	14 Jan.	1802.

(continued)

CAPE OF GOOD HOPE	Dep. Barrack Mast. General, Lieut. Col. Shaw, ½ Pay.	Lieut. 77 F.	25 Dec.	1787.
		Capt.	24 Jan.	1796.
		Maj. 1 Ceylon R.	5 May	1804.
		 27	11 Sept.	1805.
		 40	25 Oct.	05.
		½ Pay	8 May	06.
MADEIRA ...	Deputy Adj. Gen. Lt. Col. Darling.	Ens. 5 F.	8 July	1780.
		Lieut. 5 F.	25 Sept.	1783.
		Capt. 68	30 May	1795.
		Maj. Q. M. Gen. Staff...	31 Dec.	1803.
		 84	18 Aug.	1808.
		½ Pay	25 Ditto.	
	Dep. Qr. Mr. Gen. Maj. Austin.	Ens. 85 F.	30 Jan.	1800.
		Lieut.	22 July	1800.
		½ Pay	20 Aug.	1803.
		 69	13 Nov.	1805.
		Capt. 58 F.	28 Ditto.	
JAMAICA.....	Deputy Adj. Gen. Lt. Col. Horsford, 18 Regt.	Ens. 67 F.	15 Aug.	1787.
		Lieut. 67 F.	14 Oct.	1790.
		Capt. 58	17 Sept.	94.
		Maj. 54	4 June	96.
		 59	30 Aug.	99.
		Lt. Col. 4 W. I. R.	28 Aug.	1801.
		 18	26 Jan.	09.
	Dep. Qr. Mr. Gen. Lt. Col. Myers, 70 Regt.	Ens. 69 F.	11 April	1795.
		Lieut. 40	22 Dec.	95.
		Capt.	17 Jan.	99.
		..... 23 Drs.	28 May	1801.
		½ Pay		1802.
		..... 16 Drs.	25 May	1803.
		..... 4 W. I. R.	24 Nov.	1804.
		Maj. 70	1 Oct.	1804.
WEST INDIES	Qr. Mast. and Barrack Mast. General, B. Gen. Gledstanes.	Ens. 58 F.	22 Feb.	1771.
		Lieut.	28 Apr.	74.
		Capt. 57	22 Sept.	83.
		Maj.	1 Mar.	94.
		Lt. Col.	1 Sept.	95.
	Dep. Qr. Mast. and Barrack Mast. Gen. Lt. Col. Gordon, Half-pay.	Ens. 60 F.	6 Jan.	1781.
		Lieut.	26 Nov.	84.
		Capt.	10 July	94.
		Maj.	16 May	1800.
		Lt. Col.	9 Mar.	02.
		½ Pay	4 Jan.	08.
	Adjutant General, B. Gen. Ramsay.	Lt. Col. York Rangers...	25 May	95.
		..... 60 F.	30 Dec.	97.
	Dep. Adj. Gen. Lt. Col. Campbell, 54 Regt.	Ens. 6 W. I. R.	11 Aug.	1797.
		 67	29 Oct.	98.
		Lt....57	23 Aug.	99.
		 95	1 Sept.	1800.
		Capt.	4 June	1801.
		Maj. 43	24 Jan.	1805.
		 54	20 Feb.	1806.

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NADA.....

Adjutant General, Lt. Col. Baynes, Nova Scotia Fenc.

Ens. 82 F.	13 May	1783.
½ Pay	July	84.
..... 32	4 Oct.	1686.
Lieut. 32 F.	18 Aug.	1790.
Capt.	25 Mar.	95.
Maj. 76	23 Apr.	1800.
Lt. Col. 5. F.	14 Sept.	1804.
½ Pay	May	1805.
.....4 G. B.	4 Dec.	1806.
.....Nova Scotia Fenc.	17 Sept.	1807.

Dep. Adj. Gen. Lt. Col. Chabot, Half-pay 24 Drs.

Cornet 18 Drs.	30 Apr.	1793.
Lieut. 18 Drs.	19 Dec.	1793.
Capt.	23 July	99.
Maj. 27 F.	24 Oct.	02.
½ P.	Dittò.	
..... 18 Drs.	18 Nov.	02.
½ Pay	12 Feb.	1807.

Qr. Master General, Lt. Col. Kempt, 81 Regt.

Ens. 101 F.	31 Mar.	1783.
Lieut.	18 Aug.	84.
½ Pay		85.
Dº 58 F.	2 July	94.
Capt. 113 F.	30 May	94.
Maj.	18 Sept.	94.
½ Pay	Mar.	98.
..... 66 F.	9 July	1803.
Lt. Col. 81	23 July	1803.

Dep. Qr. Mr. Gen. Lt. Col. Pye, ½ Pay.

Ens. 23 F.	24 Sept.	1787.
Lieut. 13	13 Sept.	1791.
Capt. 1 W. I. R.	1 July	95.
Maj. 6 W. I. R.	3 Mar.	1804.
..... 32	1 Aug.	1804.
..... 54	23 Nov.	1804.
½ Pay	20 Feb.	1806.

NOVA SCOTIA

Deputy Adj. Gen. Maj. Bowyer, 59 Regt.

Ens. 55 F.	31 Aug.	93.
Lieut. 55 F.	31 Jan.	94.
Lieut. 7 F.	24 Aug.	1795.
Capt. 59	25 July	1798.

Dep. Qr. Mr. Gen. Lt. Col. Tinling, 1 Gds.

Ens. 20 F.	1 June	1778.
Lieut.	3 Dec.	1785.
Capt.	14 Mar.	1794.
.....1 Gds.	15 Jan.	98.

.LTA.....

Deputy Adj. Gen. Lt. Col. Sewell, 48 Regt.

Ens. 51 F.	30 Sept.	1795.
Lieut.	2 June	1796.
Capt. 62	4 Oct.	1797.
Maj. 60	16 June	1803.
..... 48	24 Nov.	03.

Dep. Qr. Mr. Gen. Lt. Col. Phillips, 44 Regt.

Ens. 33 F.	20 June	1783.
..... 44	21 May	88.
Lieut. 44 F.	31 Aug.	1793.
Capt.	2 Sept.	1795.
Maj.	14 Jan.	1802.

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SICILY	Adjutant General, M. Gen. Campbell.	Ens. 1 F.	19 July	17
		Lieut. 94	5 Dec.	
		Capt. 71	6 Mar.	
		½ P.		
		..... 73 F.	6 June	
		..... 19 Drs.	11 Feb.	
		..... 90 F.	12 Jan.	
		Maj.	1 Mar.	
		Lt. Col. Cheshire Fenc.	17 Nov.	
		½ P.	July	
		..... 61 F.	16 Jan.	
	Deputy Adj. Gen. Lt. Col. Airey, 8 Foot.	Ens. 91 F.	6 Dec.	17
		Lieut. 48 F.	2 Jan.	17
		Capt.	19 Nov.	
		Maj. 68 F.	1 May	
		Lt. Col. 8	4 May	
	Qr. Mr. Gen. Lt. Col. Bunbury, Newfoundland Fenc.	Ens. 2 F. Gds.	14 Jan.	17
		Capt. 16 Drs.	16 Aug.	
		Maj. 9 W. I. R.	11 Mar.	
		Lt. Col. Q. M. G. Staff	31 Dec.	
		..... Newfoundland Fenc.	28 Mar.	

EAST INDIES: The Adjutant General, Lieutenant Colonel W. Keir, upon the half pay: the Deputy Adjutant General is Li tenant Colonel Campbell, of the 33d Regiment; he is not pla upon half-pay, because his Regiment is upon the station: Quart master General, Colonel Eden, of the 84th Regiment; the Re ment is serving upon the station, he is not placed upon the h pay: the Deputy Quarter-master General, Major Johnson of 77th Regiment; that is an exception; the Regiment is now retu ed to England.—At CEYLON, the Deputy Adjutant General, Li tenant Colonel Brownrigg; his Regiment is serving upon the s tion: Deputy Quarter-master General, Major Wilson; his Re ment is serving upon the station.—The CAPE of GOOD HO Lieutenant Colonel Sorel, Deputy Adjutant General; on half-p Deputy Quarter-master General, Lieutenant Colonel Harco on half-pay: Deputy Barrack-master General, Lieutenant Colo Shaw, upon half-pay: those are the only three Staff Officers at Cape.—The Island of MADEIRA; Deputy Adjutant General, Li tenant Colonel Darling, on half-pay: Deputy Quarter-ma General, Major Austin; he is a Captain, with the brevet rank Major; he is not upon half-pay.—JAMAICA: Deputy Adjut General, Lieutenant Colonel Horsford; his Regiment is serv there with him: Deputy Quarter-master General, Lieuten Colonel Meyers; his Regiment is serving in the West Indie WEST INDIES: Quarter-master and Barrack-master Gene Brigadier General Gledstanes, on half-pay: Deputy Ditto, Li tenant Colonel Gordon, on the half-pay: The Adjutant Gene Brigadier General Ramsay; his Regiment is serving there :: Deputy, Lieutenant Colonel Campbell of the 54th Regiment; Regim

Regiment is serving there.—CANADA: Adjutant General, Lieutenant Colonel Baynes of the Nova Scotia Fencibles; his Regiment is serving there: Deputy Lieutenant Colonel Chabot on half-pay: Quarter-master General, Lieutenant Colonel Kempt of the 81st Regiment; it is not intended to put this officer upon the half-pay: this officer served with the late Sir Ralph Abercrombie in all his campaigns; he succeeded, on the death of Sir Ralph Abercrombie, to be Confidential Secretary and Aid-de-Camp to Lord Hutchinson; he afterwards served with Sir John Moore; he had the honour to command the Light Infantry in the battle of Maida; he was honourably mentioned in the General's Dispatch, and contributed as much as any officer to the defeat of the Enemy on that day; he will be specially exempted from this rule: The Deputy Quarter-master General is Lieutenant Colonel Pye. I beg to state to the House he is a near relation of mine; but he is on the half-pay.—NOVA SCOTIA: Deputy Adjutant General, Major Bowyer; he is excepted; he is the son of the late General Bowyer, the eldest Captain in the 59th Regiment, and has been ordered to join his Regiment: The Deputy Quarter-master General, is Lieutenant Colonel Tinling, of the 1st Guards; he is a Lieutenant in the Guards, not a Regimental Field Officer.—MALTA: the Deputy Adjutant General is Lieutenant Colonel Sewell, of the 48th Regiment; his Regiment is serving in the Mediterranean: Deputy Quarter-master General, Lieutenant Colonel Phillips of the 44th Regiment; his Regiment is serving in the Mediterranean.—SICILY: Adjutant General, Major General Campbell; a General Officer, it is not usual to place upon the half-pay: the Deputy ditto, Lieutenant Colonel Airey, 8th foot: this officer also has been specially exeepted; and it is not intended to put him upon the half-pay: he has been Confidential Secretary and Aid-de-Camp to General Fox, and General Mackenzie Frazer; and is one of the oldest and most meritorious officers in the Army: The Quarter-master General is Lieutenant Colonel Bunbury: this officer also distinguished himself in the battle of Maida; was specially mentioned in the General's Dispatch; and it is not intended to place him upon half-pay.

(*By* SIR G. WARRENDER.)

Q. How many of these officers holding staff situations, who are upon half-pay now, were on half-pay previous to and at the time they were appointed to those staff situations?

A. Speaking to the best of my knowledge, I believe when they were appointed to their staff situations, they were every one, without exception, on full pay.

Q. Was Sir William Keir upon full?

A. Sir William Keir was not.

Q. You have stated that the two other staff officers at the Cape are Lieut. Col. Sorel and Lieut. Col. Harcourt; were either of those officers upon half-pay when they received those appointments?

A. No, they were not, they were put upon half pay since; the paper I gave in will state it exactly; and I do believe, with the exception of Sir William Keir, they were all upon full pay; there may be one or two exceptions.

Q. Does Sir William Keir receive his half-pay?

A. That

A. That is a financial question that I can only answer as matter of general information; I believe he does not, as he has applied for it, and I believe he does not receive it.

Q. Am I correct in supposing that Colonel Kempt was appointed Quarter-master General in Canada, on the commendation of Sir James Craig; Colonel Kempt being at that time absent in Sicily?

A. Yes, he was; Colonel Kempt had no notion of his appointment until it was intimated to him.

Q. Am I correct in supposing that Colonel Kempt would have declined that situation, if it had interfered with his situation as Lieut. Col. of the 81st. Regiment?

A. I am quite positive of it, for he repeatedly assured me so.

(By another MEMBER.*)*

Q. Is the Deputy Quarter-master General in Sicily on full pay, or does he receive any other pay than that of his staff situation?

A. I do not know that he does; I believe that he receives merely the pay for his staff situation, and will be placed upon the half-pay in addition to that as soon as an opportunity can be found, but at present he is aggrieved by not even having the half-pay;—that is Lieut. Colonel Campbell.

(*By* LORD FOLKSTONE.)

Q. Have the Staff Officers whom you mention as being on half-pay, been on half-pay ever since they have held those staff situations?

A. I believe I have stated to the House, that to the best of my recollection they were all upon full pay when they were appointed, and were placed upon half-pay as soon as possible afterwards.

Q. Immediately upon their receiving their staff appointments they were placed upon half-pay?

A. As soon as possible afterwards; the Commander in Chief has it not in his power to place an officer half-pay whenever he pleases, must be a vacancy on the hal establishment.

Q. I understood you to say an officer of the name of Bowy the West Indies was on the full holding a staff appointment; staff appointment does he hold

A. I said that Major Bowye Deputy Adjutant General in West Indies, and he is the captain of the 59th Regimen has been ordered to join his ment, or, he will be placed the half-pay.

Q. What regiment did Co Shaw belong to before he rec his staff appointment?

A. Colonel Shaw exchanged one or two, but I believe it 40th Regiment.

Q. Did General Burrard mand a battalion of the Guar that time?

A. He commanded the br of Guards in London.

Q. Did you state those ments which you read to be al documents respecting the app ment of Major Shaw?

A. They are all that I kno in my present recollection.

Q. All those that are in the c

A. Upon my word I believe

Q. Is it customary to appoi officer to any staff appointme any advantageous situation, out inquiring of the officer manding the regiment to who belongs, what has been the co of that officer?

A. That is the general mo apply to the officer commma the regiment; but Major Shaw not been in the 40th regimen months, if my recollection s me right, and General Bu states that he knew him from a

Q. Is it not customary to to the General Officer, who is nel of the regiment, in such c

A. No, I cannot say that.

the colonel of the regiment, not being with his regiment, he is very often not so good a judge of the merits of the officer as the officer actually in the command of it, or many other officers with whom the individual may have previously served.

Q. In point of fact, no application in this case was made to any person but to General Burrard?

A. General Burrard mentions in his letter that he had Sir James Craig for his friend, and I have endeavoured to bring to my recollection whether Sir James Craig had ever spoken to me about Shaw; I cannot bring to my recollection that he did, but it is possible that he might.

Q. Had Colonel Shaw ever served under Sir James Craig?

A. I really know no more of it than exactly what Sir Harry Burrard states in his letter; it is most likely he had, for he had served a great deal in India, and it is probable that in India he had obtained the patronage of Sir James Craig.

(By GENERAL LOFTUS.*)*

Q. Do you know Colonel Meyrick Shaw?

A. There is a Colonel Shaw who has just been removed into the 76th Regiment, I believe his name is Meyrick Shaw.

Q. Do you recollect his being confidential Secretary to Lord Wellesley in India, then a Major.

A. I rather think that he did hold some appointment under Lord Wellesley, as Lord Wellesley has more than once recommended him to the notice of the Commander in Chief.

Q. Do you recollect, that in consequence of his purchasing the Lieutenant Colonelcy of a regiment not in India, he was put upon half-pay.

A. Yes, I think I recollect that perfectly, that he purchased the Lieutenant Colonelcy of the 31st Regiment.

Q. What had been the recent services of Lieutenant-Colonel Shaw?

This question was objected to by MR. PERCEVAL, and the witness ordered to withdraw.

MR. PERCEVAL then observed, that the Hon. Gentleman seemed now to be enquiring into the merits of several officers, and whether there had been a proper exercise of the judgement of the Commander in Chief in making promotions. He did not think any charge justified this consideration, or should lead them into an inquiry how far the existing regulations should be altered. This did not seem to him to be the proper course, as it would probably carry the House into a very unpleasant investigation, and draw answers from the witnesses, which might be totally irrelevant to the question.

MR. WHITBREAD said, he did not at all doubt the unpleasantness of the investigation, but at the same time he did not doubt the propriety and competency of the question. He wished the House to consider what they were really investigating. This Col. Gordon had stated, that there were particular rules in regard to army promotions. It was therefore competent to the Hon. Gentleman to ask, whether those rules had been complied with? For, without that, it was impossible for him to prosecute his inquiry. It was very probable that Col. Gordon would be able to state some great services, for those various appointments he had alluded to. He apprehended this was a particular case in point, in which a Lieut. Colonel had been appointed to the command of a regiment, in a manner not consistent with the distinct

distinct line of practice that had been stated by Colonel Gordon. Upon that ground he found himself under the necessity of defending the question now proposed. It was true, if no beneficial consequences were likely to result from such a question, every man must wish to suppress it, and particularly after such an answer as that which the witness had now given. The House was altogether engaged in a most painful investigation, but it was such an one that they must discharge their duty in every part of it.

MR. PERCEVAL still thought that it had not been stated in any of the charges that a mode of appointment had been adopted contrary to the established course, and therefore he would recommend to the Honourable Gentleman, that he would first of all introduce the inquiry, by asking the officer at the Bar, whether or not the appointment had been contrary to the regulations? Upon these grounds he should not oppose the prosecution of the mode of inquiry.

MR. WHITBREAD said, he entirely concurred in what the Right Hon. Gentleman had suggested.

MR. WARDLE also expressed himself satisfied with the line of proceeding pointed out; but it was a positive assertion of Colonel Gordon, some time ago, that if Colonel Shaw was a junior officer, his appointment was contrary to the ordinary regulation of the service.

Colonel Gordon was then recalled, and interrogated by MR. WARDLE.

Q. Was there any deviation from the ordinary practice of the army in the appointment of Colonel Meyrick Shaw to the Lieutenant Coloneley of the 76th Regiment?

A. None whatever, it was the constant practice; I stated I believe in my evidence some nights ago, that it was the rule of the army that a junior officer should not be placed over the head of a senior officer of the same rank, that is, the junior Major of one regiment should not be put over the head of the senior Major in another; but Lieutenant Colonel Shaw was a Lieutenant Colonel, and he was placed on the Lieutenant Colonel's vacancy over the head of the Major; that is the constant practice of the army, there has been no deviation whatever in it.

Q. Do you know what recommendation Mr. Samuel Carter had for his Ensigncy in the 16th regiment.

A. Yes, I do.

(*By* MR. WELLESLEY POLE.)

Q. What is the date of Major Covell's commission as Major in the army?

A. August 1807.

Q. From what date does Lieutenant Colonel Shaw take rank as a Lieutenant Colonel in the army?

A. I should think he has been a Lieutenant Colonel rather better than three years, I have no document by me that will state that accurately.

Q. Do you know that Colonel Meyrick Shaw was a great many years a commissioned officer in the East India Company's service, before he came into His Majesty's Regular service?

A. I do not know it from my own knowledge, I have heard the very best character of Colonel Shaw, from various officers.

Q. Do you know whether he was removed to the half pay without receiving a difference?

A. I believe he was.

Q. Is

Q. Is it not a regulation, or at least understood, that whenever an officer is placed upon half-pay without receiving a difference, Government is in some degree pledged to place him upon full pay as soon as a favourable opportunity offers?

A. The Commander in Chief has invariably been governed by that rule.

(*By* Sir James Pulteney.)

Q. Do you know whether I (the Secretary at War) took a particular interest in Lieutenant Colonel Sorel?

A. With the greatest deference to the Right Honourable Gentleman who put that question, I may say that he importuned me upon it.

Q. Did I (the Secretary at War) importune you to solicit His Royal Highness to keep that officer upon full pay, as long as he could with propriety be kept in that situation?

A. Yes, certainly.

A question was then put to witness, whether he knew an instance of a private in the Dragoons, from his great merit, having been promoted to the rank of a Captain, and having in consequence commanded officers whom he had formerly obeyed, when Colonel Wood spoke to order. He said, if such inquiries as these were proceeded in, the business of the Committee would never end: besides, in pursuing this line of conduct, the House were trenching upon the prerogative of the Crown; and, he supposed, no one would assert, that the right of appointing officers was not vested in the Crown.

Mr. Smith said, if his recollection did not fail him, Colonel Gordon, on a former examination, in stating the regulations of the King's army, had said that which the present inquiry made doubtful, and threw some imputation upon his consistency, if these regulations had been attended to.

Sir G. Warrender observed, that he could not help noticing the objections to questions from that side, while others were uninterrupted; he particularly alluded to questions which had been recently put by a Right Honourable Gentleman on the other side.

Mr. Wellesley Pole said, as the questions he had put had been so pointedly alluded to, he must observe, that he only wished to shew Lieut. Colonel Shaw had been a Lieut. Colonel before Major Covell had attained the rank of a Major.

Mr. Sturges Bourne and Mr. Yorke, disclaimed all idea of partiality; and an Hon. Member, under the gallery, said, he recollected, that when Colonel Gordon stated the regulations of the army, he made exceptions for special instances, and should be very sorry any wrong impression of that gentleman's conduct should be received while it was in his power to vindicate him.

Colonel Gordon was again called in and examined by Mr. Smith.

Q. Do you know Captain Brunker, who either is, or lately was Paymaster of the 5th Dragoon Guards?

A. I cannot say that I have that pleasure.

Q. Do you not know that that officer, who is a very meritorious officer, was formerly a private in that regiment?

A. I have already said, that I

have not the pleasure of knowing him at all.

Q. Do you know Mrs. Clarke?

A. I never had the pleasure of seeing Mrs. Clarke till I saw her at the bar of this House two evenings ago.

Q. In the series of correspondence which you have read between General Burrard and yourself, there is a letter some time towards the 28th of March, wherein General Burrard, in the most earnest manner, renews his solicitation on behalf of Major Shaw, and a note is made upon that, desiring to see General Burrard that evening, or early next morning; did you see General Burrard in consequence of that desire so expressed?

A. I think it is most certain that I saw him, for his next letter contains an answer to something I must have said to him.

Q. On that occasion did you suggest to General Burrard, that this appointment of Barrack Master at the Cape of Good Hope was vacant, or about to be so?

A. I cannot state positively that I did not, I think it most likely that I did.

Q. Had you ever had any conversation with the Commander in Chief upon that subject, and had he (the Commander in Chief) ever expressed any earnest desire to provide for Major Shaw?

A. I do not recollect that the Commander in Chief expressed any desire at all, but I certainly must have had some communication with him, or I never could have ventured of myself to have made such a proposal to Sir Harry Burrard.

Q. Did the Commander in Chief ever speak to you upon the subject of Major Shaw, except when you, in the course of your official duty, made representations to the Commander in Chief respecting Major Shaw?

A. I do not recollect that he ever did, but I beg leave to state, that it is pressing my recollection a little hard, considering that there are eleven or twelve thousand officers of the army, all of whom, or their correspond with or adc

Q. Did you ever Clarke's selling, or pr commissions in the arı came the subject of d House?

A. Never, but throu of the numerous libels lately published aga mander in Chief.

Q. Did you ever se quiry into the truth ments?

A. I have already House, that in the au had understood that n of this kind existed, i foot every inquiry tha for me to do; I ascert abuses were practised that is now before the ed the officers of the such practices; even that letter, I had proof did exist, and I obtai of eminent counsel, a me it was not even a and that I could have that I represented th to the then Secretary have already I believe dence to this House, a inserted in the Mutiny a fine upon it.

Q. From what sou ceive your intelligence of those abuses?

A. I rather think I was anonymous; but found that the account traced it to Mr. Fro broker, and a Mr. He a clothier in Parliame for Mr. Froome; M me that he had receiv I think it was nearly paymastership of one c of the German Legion speaking now from re he told me also that I ceived a per-centage u and paid the money t after repeatedly pressi

Samuel Whitbread, Esq.r. M.P.

r. Hebden the army
it for Mr. Hebden, and
versation, I must state
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of Lieutenant Colonel
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mander in Chief again;
d pencil remark is the

result of the second representation I made to the Commander in Chief.

Q. Is it usual to make your remarks in pencil?

A. Sometimes in pencil, sometimes in ink.

(*By* Mr. Whitbread.)

Q. Were you acquainted with Mr. Froome, or knew any thing of his situation in life previous to the interview you had with him on the subject of this commission?

A. I knew him as a reputed army broker to a great extent, and one of a description of persons with whom I declared open war the moment I came to the Commander in Chief.

Q. In consequence of the transaction stated by you, were any steps taken to prevent his transacting that agency business for the army?

A. I do not understand that he ever was authorized to transact business for the army, but he transacted it in spite of every thing I could do: he was an army broker, not an agent.

(*By* Mr. Perceval.)

Q. Was it not in consequence of information which you obtained upon this subject, that those circular letters were written, and the clause in the Mutiny Act submitted to Parliament?

A. The circular letter was written in consequence of the information I had obtained prior to the fact with which I have now acquainted the House; the clause in the Mutiny Act was brought into this House subsequent to that, and because I found that I had no redress.

(*By* Mr. Wardle.)

Q. Was there ever any entry made of Colonel Knight's exchange not being approved by the Commander in Chief?

A. Certainly there was, and sent either to Colonel Knight or Colonel Brooke; I had the letter in my hand the first time I gave evidence before the House.

Q. Through what recommendation

in your office did Mr. Samuel Carter receive his ensigncy in the 16th foot?

A. Lieutenant Sutton of the Artillery.

[The letter was read, dated December 7th, 1801.]

"*Royal Laboratory, Woo*
December 7th, 18C

"May it please Your Royal Highness,

"The kindness that Your Highness has at all times most grac
Leatowed on me, emboldens me to address you in the behalf
orphan lad, nearly sixteen years of age, of the name of Samuel
(whose father lost his life in the service, and whom I have brou
and educated), in hopes that Your Highness will be graciously p
to appoint him to an ensigncy; a favour that I should not presu
ask but on the score of my long service and sufferings in his Ma
service; which I hope and humbly trust Your Royal Highne
take into Your gracious consideration, who am, with all due su
sion and respect,

Your Royal Highness's
most faithful and obedient,
humble servant,
THO. SUTTO
Lieut. Royal Artil

"L. Col. L.
"From present circumstances, it is not in the Comm^r in Chief's power to recommend any person for a Com^n; but the person mentioned will be noted to be provided for at a future opp^y.
J. C."

Q. Do you recollect when he was appointed?

A. Here is Lieutenant Sutton's answer to the notification, which wil
it exactly.

[The letter read, March 29th, 1804.]

"Lieut. Sutton presents his most respectful compliments to
nel Clinton, to acknowledge the honour of his note of the 21st ins
begs to express how gratefully he feels the appointment his
Highness the Commander in Chief has been pleased to confer o
Samuel Carter.

London, March 29th, 180

"*Colonel Clinton,*
&c, &c."

A. The appointment must have taken place there or thereabouts.

Q. Do you know whether Lieutenant Sutton is dead?

A. Until I looked into these papers, I did not know that such a man existed; I have heard that he is dead.

Q. Are not candidates for ensigncies frequently on his Royal Highness's list for two or three years before they can be appointed?

A. That depends upon the period; at the period of 1801, the reduction of the army, and the period of peace, it was absolutely impossible to appoint him, as the answer states; the answer is in substance upon the body of the letter, but here it is in length.

[Colonel Gordon read the letter, dated 8th December, 1801.]

(Copy.)

"SIR, "*Horse Guards, 8th Dec.* 1801.

"I have received the Commander in Chief's commands to acquaint you, in answer to your letter of yesterday's date, that from present circumstances it is not in the Commander in Chief's power to recommend any person for a commission; but his Royal Highness has directed Mr. Samuel Carter's name to be noted, to be provided for at a future opportunity.

I am, &c.

(Signed) ROB. BROWNRIGG."

"*Lieut. Tho. Sutton,*
Royal Artillery,
Royal Laboratory,
Woolwich."

A. I should imagine the circumstances alluded to were the reduction of the army.

Q. Have not you recently known instances of candidates, respecting whom there was no disqualification, where they have frequently remained two or three years before they were appointed?

A. Certainly; I dare say there are a hundred upon the Duke's books at this moment, or two.

(*By* MR. WARDLE.)

Q. Is there any subsequent recommendation of Mr. Carter?

A. I have no other documents whatever on the subject.

Q. When a recommendation is once in, is it necessary for a subsequent recommendation to come when that candidate is noted upon the list?

A. The usual practice is, when a person sends in a memorial, he follows it up by himself and his friends repeatedly, and commonly in person.

(*By* LORD FOLKSTONE.)

Q. Do you know the date of Mr. Carter's commission?

A. I cannot say that I know the date, but it must have been between the 17th and 21st of March, 1804.

Q. In the affair of the exchange between Colonel Brooke and Colonel Knight, had not Colonel Knight previously made an application to be allowed to exchange with Colonel Pleydell? A. Yes, he had.

Q. Was that objected to?

A. Yes, it was.

Q. Are the documents upon that subject now in the office?

A. I rather think they are.

Q. Did you ever hear of a person of the name of Hector Stray, an ensign in the 54th regiment of foot?

A. To the best of my recollection, I never heard his name mentioned before.

Q. Have you with you any means of ascertaining whether there is such a person?

A. I

A. I have not with me, but I can ascertain it by eleven o'clock to-morrow morning.

(*By another* MEMBER.)

Q. You stated, on a former examination, that you had frequently been in the West Indies; were you not born in the West Indies?

A. I was not, I have the honour of being a Welshman.

(*By* ALDERMAN COMBE.)

Q. To your knowledge, did Mr. Hebden, who received the 1,000*l.* for the paymastership, ever obtain that paymastership?

A. The paymastership was certainly obtained, and that struck me very forcibly when I made the inquiries.

Q. Is it competent to you in your official situation to produce the documents of that appointment?

A. I can produce them; it will give me great satisfaction if the Committee will do me the honour to go into them.

(*By* SIR JAMES PULTENEY.)

Q. At whose recommendation are paymasterships bestowed?

A. The colonels of the regiments, through the Secretary at War.

Q. Has the Commander in Chief any concern with the recommendation for these appointments?

A. None whatever, except the submitting them to his Majesty.

Q. Is it a matter of course for the Commander in Chief to submit to his Majesty those recommendations for paymasterships, which are approved by the Secretary at War?

A. It is quite a matter of course, when approved of by the colonels of the regiments and the Secretary at War.

Q. Does the recommendation of the paymaster on all occasions originate with the colonel of the regiment, or does the Secretary at War appoint?

A. I understand the practice to be, that the recommendation is with the colonel of the regiment, and it is submitted to the Secretary at War, whose duty it is to take care that the securities are good.

Q. Who was the colonel who recommended the paymaster, in the case of Hebden, to the paymastership?

A. I really do not know who the colonel of the battalion was; it of course came through the head of the German Legion, the Duke of Cambridge.

Q. Who was Secretary at War at that time?

A. I rather think it was General Fitzpatrick, I will not be quite sure.

(*By* COLONEL WOOD.)

Q. Is there not an express regulation that paymasterships cannot be sold?

A. I understand it to be so decidedly.

(*By another* MEMBER.)

Q. Do you happen personally to know Lieutenant Carter?

A. No I do not, to my knowledge I never saw him.

Q. Do you know from any correspondence that although he was, as was expressed upon his recommendation, a poor orphan, he had had a sufficient education to qualify him for an ensigncy, being the son of a soldier who was killed in the service?

A. Until his name was mentioned here last night, I never heard his name mentioned.

Q. Who appoints the paymasters?

A. I have already stated, that the colonel of the regiment recommends the paymaster, the Secretary at War approves of the sureties, and in that shape they come transmitted to the Commander in Chief, who lays them as a matter of course before the King.

Q. In what year did the transaction you have alluded to, relative to Mr. Hebden, take place?

A. I really do not know, but this I know, that it was in consequence of the transaction that I was induced to speak to the Secretary at War to insert a clause in the Mutiny Act.

Q. Do you not recollect whether the transaction

transaction did not take place before the appointment of General Fitzpatrick as Secretary at War; whether that transaction could have ever come under his cognizance?

A. I really cannot take upon me to state the exact date, it must have been there or thereabouts, I cannot speak to the exact period.

Q. Cannot you ascertain, by reference to your papers, whether it was before the month of February, 1806?

A. I cannot, without reference to the army list; the paymaster's name was Blunderstone, of one of the battalions of the German Legion.

(*By* Sir James Pulteney.)

Q. Do you not understand it to be a matter of course, that the Secretary at War should recommend any paymaster that is recommended to him by the colonel of the regiment, provided he finds him to be a person fitted for the situation, and that he has proper security?

A. Quite a matter of course.

(*By* General Fitzpatrick.)

Q. Upon what ground do you say that the recommendation of the commanding officer of a regiment, for the paymaster, is received as a matter of course at the War Office?

A. I am called upon to answer a question that in no shape belongs to the office which I superintend, but as matter of general information, I understand that when the colonel of a regiment recommends a paymaster to the Secretary at War, if the Secretary at War sees no objection to such recommendation, and his securities are good, then it is a matter of course that he recommends.

(*By* Colonel Barry.)

Q. In case the Secretary at War should disapprove of the securities, what is then the process?

A. I beg to repeat that I am answering questions in no way connected with my office, but as matter of general information I can state, the Secretary at War would then return it.

Q. Would not the colonel then have another recommendation which might meet with approval?

A. Certainly.

The witness was ordered to withdraw; and Lord G. L Gower spoke to order.

Colonel Barry said, he only wished to ascertain whether the appointment rested with the Commander in Chief, or with the Secretary at War.

Lord G. L. Gower observed, that there were now four gentlemen in the House who had filled the office of Secretary at War, and surely it was more competent for them to speak to this point, than Colonel Gordon, who said it was not within his department.

General Loftus said, it having fallen to his lot to appoint a Paymaster, as a Commanding Officer, he could give the information required. The Colonel inquires the character of the person whom he means to appoint, and gives his name in to the agent, who sees that the security is good; then the commanding officer recommends, and he is appointed.

General Norton observed, that in case any thing was wrong, the whole responsibility fell on the Colonel.

General Fitzpatrick said, there was a great difference between the appointment of a Paymaster at home, and one abroad;

they were more strict with Paymasters abroad, as in such cases the responsibility of ample security being given fell on the Secretary of State.—*(A loud cry of Go on! go on!)*

Mr. Wardle was desirous that Mr. Nicholls should be called.

Mr. Perceval wished to bring evidence to a few facts which he thought material to the subject before the House; still, however, if the hon. gentleman were desirous of having the testimony of Nichols immediately, he might call him.

Mr. Wardle suggested that he should be called by the hon. gentlemen upon the other side of the House, as he was one of their own witnesses.

Mr. Perceval accordingly ordered that William Nicholls should be called in.

After some time the Serjeant reported that he was not come to town.

Mr. Perceval wished the Noble Lord (Lord Folkstone) to proceed. His Lordship was anxious to prevent confusion in the minutes, which must be occasioned by deviating from the course hitherto adopted.

Mr. Perceval said, that the evidence he proposed to call was with a view to facts that referred to former cases.

The Chairman stated to the Committee, that he had received a letter from Mr. Donovan, excusing his absence; it represented that he was too ill to appear before the House, and that his surgeon was ready to attest the fact if necessary—the apology was admitted.

Colonel Gordon was then called in again.

(*By* Lord Folkstone.)

Q. Produce the documents respecting the resignation of Major Turner.

[Colonel Gordon delivered them in, and the following papers were read: letter from Messrs. Greenwood and Cox to Colonel Gordon, dated Craig's-court, 5th of September, 1808.—Letter from Captain Turner, dated Canterbury, 26th of August, 1808.—Letter from Lieutenant Sitwell, dated Canterbury, 26th of August, 1808.]

(Copy.)

"Sir, "Craig's Court, 5 Sept. 1808.

"We are directed by Lieut. General Cartwright, to enclose the resignation of Brevet Major Turner, for the sale of his troop in the 3d (or King's Own) regiment of Dragoons, which we request you will be pleased to lay before Field Marshal his Royal Highness the Commander in Chief, together with the recommendation of Lieut. Sitwell to succeed thereto, the purchase-money being satisfactorily settled, and no senior lieutenant in the regiment having signified an intention of purchasing.

We have, &c.

(Signed) Greenwood, Cox & Co.

"Lieut. Colonel Gordon,
&c. &c. &c."

(Copy.)

(Copy).

" Sir, " Canterbury, 26 August, 1808.

" I beg you will be pleased to obtain for me his Majesty's consent to the sale of my commission of captain in the 3d or King's Own regiment of Dragoons, which I purchased.

" In case his Majesty shall be graciously pleased to permit the same,

" I do declare and certify, upon the word and honour of an officer and a gentleman, that I have not demanded or accepted, neither will I demand or accept, directly or indirectly, at any time, or in any manner whatever, more than the sum of 3,150*l.* being the price limited and fixed by his Majesty's regulation, as the full value of the said commission.

I have the honour to be,
Sir,
Your most obedient humble servant,
(Signed) Whichcote Turner,
Capt."

" *Officer commanding 3d or King's Own reg. of Drag.*"

(Copy.)

" Sir, " *Canterbury, 26 August,* 1808.

" I beg you will be pleased to obtain for me his Majesty's permission to purchase the troop, vacant in the 3d or King's Own regiment of Dragoons, (vice) Turner, who retires; the senior lieutenants having declined purchasing.

" In case his Majesty shall be graciously pleased to permit me to

" I do declare and certify, upon the word and honour of an officer and a gentleman, that I will not, now or at any future time, give by any means or in any shape whatever, directly or indirectly, any more than the sum of 3,150*l.* being the price limited and fixed by his Majesty's regulation, as the full value of the said commission.

I have the honour to be,
Sir,
Your most obedient and most humble servant,
(Signed) R. Sitwell,
Lieut. 3 Drag."

" *To the Commanding Officer, 3d or King's O. regiment of Drag.*"

" I beg leave to recommend the above, and I verily believe the established regulation in regard to price is intended to be strictly complied with, and that no clandestine bargain subsists between the parties concerned.

(Signed) W. Cartwright,
Lt. General."

Q. What is the meaning of that mark " Put by?"

A. Put by for the present, until further inquiries were made; the correspondence will explain it.

[Letter signed Lucy Sinclair Sutherland, dated London, 5th of September, 1808.—Letter from Colonel Cartwright, dated 14th September, 1808.—Letter from Colonel Cartwright, dated the 18th of September, 1808.—Letter from Major Turner to Colonel Gordon, dated 23d September, 1808.—Letter from Major Turner to Colonel Gordon, dated the 7th of November, 1808.—Letter from Colonel Gordon to Mr. Turner, dated the 8th of November, 1808.—Letter from Mr. Turner to Colonel Gordon, dated the 15th of December, 1808.—Letter from Colonel Gordon to Mr. Turner, dated the 16th of December, 1808.]

(Copy)

"Sir, "*Portman Street, 5 Sept.* 1808.

"I think your Royal Highness will readily comply with the following trifling request I take the liberty of making. It is, not to accept the resignation of Major Turner of the 3d or King's Own Dragoons in favour of Lieut. Sitwell *till March*. He has behaved with unkindness towards a lady who merited different treatment; and it is of importance to her to know where to find him for these *six* months; and if he quits the regiment he means to secrete himself from her. Besides, it is not quite honourable for an officer to wish to leave the army while his regiment is under orders for embarkation. Your Royal Highness will therefore perceive he does not merit indulgence. The general knows all about it, and can corroborate what I say, if necessary.

"Major Turner depends on Col. Gordon to expedite his resignation; I depend on your Royal Highness to prevent his obtaining it for some months. I flatter myself such a trifling and just request you will not refuse.

I have, &c.

(Signed) LUCY SINCLAIR SUTHERLAND."

"C. L.
Place this letter with Major Turner's papers."

(Copy)

"Dear Colonel, "*Burley, 14th Sept.* 1808.

"In reply to your enquiries respecting the scrape into which it appears that Captain Turner of my regiment has got with some woman *of moderate* repute. I have to say, that I am entirely ignorant of every *thing* which relates to this matter; but, for your satisfaction, will endeavour

deavour to inform myself of particulars, which, when obtained, shall be transmitted to you.

Yours, &c.

(Signed) W. CARTWRIGHT."

" *Lieut. Col. Gordon,*
&c. &c. &c"

" M. D.
Private.
Put by."

(Copy.)

Private.

" Dear Colonel, *Aynho, 22d Sept.* 1808.

" I trust that the following extract of a letter from Lieut. Colonel Mundy will do away any unfavourable impression that may have been taken, to the prejudice of Major Turner, of the regiment under my command; and that the business of his resignation may, in consequence, be allowed to go forward without further delay.

I remain, &c.

(Signed) W. CARTWRIGHT,
Lieut. Gen."

" *Lieut. Col. Gordon,*
&c. &c. &c."

" Extract."

" In no one instance have I ever had occasion to be dissatisfied with the conduct of Major Turner since he has been in the King's Own Dragoons: on the contrary, I have always found him to be a perfectly gentlemanly honourable man. I believe he has, unfortunately for his own peace of mind, formed a connection with an artful woman, who has brought him to much trouble; but I conceive this is a circumstance which can on no account warrant the putting any obstacle to his views of retiring."

" C. T.
Put by."

" Private."

" Dear Sir, " *Canterbury, Friday, 23d Sept.* 1808.

" I am just favoured with a letter from Lieut. Colonel Mundy, informing of me, my resignation is accepted, and the business will be forwarded without delay. I can with truth say, I have turned my fortieth year, and never had my honour or character called in question, until aspersed by Mrs. S——. When I arrive in London, I will wait upon you, and inform you how Mrs. S—— is in the habits of making improper mention about his Royal Highness. In consequence of what has happened, and in consideration of my long services, I shall

 consider

consider it as a great compliment, if I may be allowed to retain my rank as major. I neither ask for half-pay, or future promotion; nor should I have ever have made a request, had it not have been for the very unpleasant communication.

I remain, &c.

(Signed) W. TURNER."

"*Lieut. Col. Gordon,*
&c. &c. &c."

Put by.

(Copy.)

"SIR, "*Ipswich, 7th Nov.* 1808.

"I am in possession of facts which places it beyond a doubt that his Royal Highness the Commander in Chief did, influenced by Mrs. Sinclair, prevent for a while my retiring from the service.

"I appeal to you, Sir, if I merited the effect which such unjust interference produced, after having passed the greater and best part of my life in his Majesty's service.

"Before I left Canterbury I wrote to you, stating to you my earnest request that I might be permitted to retire from the service, retaining my rank in the army, to which I received no answer. Agreeable to my promise, I endeavoured to obtain an interview with you when I was in London, but I was disappointed, owing to some informality in my application to those in attendance under you. I therefore beg leave to repeat my request upon the subject of retaining my rank in the army: the length and nature of my services, I am convinced, will be a sufficiently strong claim: without reverting to the late transaction exercised by Mrs. Sinclair, I beg to assure you, Sir, it's the farthest from my disposition to take any steps injurious to his Royal Highness the Commander in Chief's conduct. I request you will do me the honour to acknowledge the receipt of this, and your answer will regulate my future proceedings.

I have, &c.

(Signed) WHICHCOTE TURNER,
Late of the 3d or King's Own Dragoons
and Major in the army."

"*To Colonel Gordon, &c.*"

(Copy.)

"SIR, "*Horse Guards, 8th Nov.* 1806.

"I have to acknowledge your letter of yesterday, which I have not failed to lay before the Commander in Chief; and I am commanded to acquaint you, that on a complaint being made against you by a Mrs. Sutherland, in a letter, of which the enclosed is an extract, his Royal Highness felt it his duty to cause inquiry to be made into the circumstances of the case, before any decision could be given upon your *request to* retire from the service.

"The result of that inquiry being honourable to your character, as

appears from the enclosed correspondence from the colonel of your regiment, the Commander in Chief had no further difficulty in submitting your resignation to his Majesty, and which was accordingly done in due course.

"Upon the subject of retaining your rank in the army, I have to communicate to you, that the Commander in Chief has it not in his power to meet your wishes, the request being contrary to the rules of the service, and has not in any similar instance been acceded to since the Duke assumed the command of the army.

I have, &c.

"*W. Turner, Esq.* (Signed) J. W. GORDON."
Ipswich."

(Copy.)

"SIR, "*Bury St. Edmund's, 15 Dec.* 1808.

"I am preparing to lay before the public, a statement of his Royal Highness the Duke of York's conduct towards me.

"I beg leave to assure you, I shall make use of your name as seldom as possible, and that with the utmost delicacy. Mrs. Sinclair Sutherland has offered to join me in a publication against his Royal Highness the Duke of York, which I positively declined. When I taxed Mrs. S. S. with having taken steps injurious to my retirement from the service, having traced her letter into his Royal Highness the Duke of York's office, Mrs. S. S. stoutly denied having exerted herself in impeding my resignation. Mrs. S. S. acknowledged she had written to his Royal Highness the Duke of York, but it was upon the subject of suppressing a publication; I am unable to say which pamphlet, the one addressed to the King, stiled the Ban Dogs, or Mr. (late Major) Hogan's.

I have, &c.

(Signed) W. TURNER."

"*Colonel Gordon, &c. &c. &c.*"

(Copy.)

"SIR, "*Horse Guards, 16 Dec.* 1808.

"I have to acknowledge your letter of yesterday, acquainting me, that you were preparing to lay before the public, a statement of his Royal Highness the Duke of York's conduct towards you, and assuring me, that you should use my name as seldom as possible, and that with the utmost delicacy.

"In thanking you for this assurance, which I presume your recollection of former acquaintance in private life has induced you to make, I feel it my duty to relieve you from any delicacy upon that point, and most decidedly to express my wish, that whenever you or your friends may think fit to mention my name, as bearing upon any public transaction in which I may have borne any part, you will have the goodness to use it, free from any reserve whatever, and publish all or any of my letters that may be in any manner connected with it.

I have, &c.

(Signed) J. W. GORDON."

"P. S.

"P. S. I take it for granted, that you have received my letter of the 8th November, addressed to you at Ipswich."

"*W. Turner, Esq.*
Bury St. Edmunds."

(*By* LORD FOLKSTONE.)

Q. Do you know Mrs. Sutherland?

A. Until I saw her name to that letter, I never recollect having heard of it before, and I never saw her in my life.

Q. Do you know whether Mrs. Sinclair and Mrs. Sutherland are the same person?

A. I have understood that they were so.

Q. You stated in your examination on a former night, that any interference of the Duke of York, the Commander in Chief, with respect to exchanges, would be extremely futile; do you make the same observation as to any interference of the Duke of York with respect to resignations?

A. I beg pardon, but with great deference, I never said any such thing; I will state what I did say, and explain if necessary.

[The following extract was read from the printed minutes, page 29.]—"Q. In any conversation that you have had upon the subject of this exchange with the Commander in Chief, do you recollect a wish being expressed that the conclusion of the exchange might be expedited?—A. No, certainly not, the expression of such a wish would have been very futile, for it would not have expedited the exchange one half instant; it would have gone on in the usual course."

Q. Do you mean that any application on the part of the Commander in Chief would have been more futile in regard to the expediting of that exchange than any other?

A. There appears to be some misconception in this, which I will endeavour to explain: on reference to my former examination, it will be seen that the papers were laid before the King but once a week, and that *after the* Commander in Chief's pleasure had been finally obtained upon the exchange or upon any thing, then the expression of his wish to further that, would not have furthered it one half instant, it would have gone with the King's papers that week: that was what I meant to say, and I hope I did say it.

Q. Then the futility to which you allude, only refers to the time after the Commander in Chief's pleasure has been taken?

A. Most certainly; that is, if the Commander in Chief's pleasure is taken on Wednesday, and that it is the due course to send in the papers to the King on Friday or Saturday, the Commander in Chief's desire to me to expedite would not cause that paper to be sent in to the King on Thursday; that is what I mean.

Q. Then any wish expressed by the Commander in Chief, to expedite an exchange previous to that period, might have the effect of expediting that exchange, might it?

A. I really can only answer that as I have already answered before; that when I lay a paper before the Commander in Chief and receive his pleasure upon that paper, with him it is final, and it goes before the King in the due course; I mean to say again, that the Commander in Chief desiring me to send in that paper would not expedite it, it would not go separate, it would go with the other papers.

Q. Do you mean, that if an exchange is in suspence in the office, an expression used by the Commander in Chief, of a wish to expedite that exchange, would have no effect whatever?

A. O no, I do not mean that; it most undoubtedly would.

Q. Have you ever known any other instance of this sort of interference like that of Mrs. Sutherland?

A. I cannot bring such to my recollection,

on, but I ... say, that if that
id been anonymo... the very
course would have been
l.

Had you any conversation with
nmander in Chief respecting
ter?

do not think I had, farther
is; I think it will be found, on
ce to the papers, that the re-
on is dated the same day with
utherland's letter, in which
is probable that I submitted it
Commander in Chief at the very
eriod that he opened the letter;
ctly recollect the Commander
ief putting the letter into my
and desiring me to inquire in-

Do you mean, that the resigna-
dated the same day that the
s dated? A. I believe so.
appeared on inspection, that
ers of Messrs. Cox and Green-
and of Mrs. Sutherland, were
ited the 5th February.]
When was the resignation for-
d to Major Turner?
As it is dated on the 5th, and
he agent's office, it is most pro-
I received it on that day, and
robably laid it before the Com-
r in Chief, in my usual course,
xt day at furthest.
When was the resignation ac-
d?
That is also dated in red ink up-
back; it was approved by the
on the 23d of the same month;
e in on the 5th.
the Duke of York state to you
e knew Mrs. Sutherland?
No, he did not.
Nothing about her?
Nothing whatever.
e witness was directed to with-
]

WILLIAM NICHOLLS *was called and examined by* MR. PERCE-
-)

Do you live at Hampstead?
Yes.
Did Mrs. Clarke live at your house at Hampstead, at any time, as a lodger? A. Yes.

Q. What time did she come?

In October.

Q. ...at year? A. 1807.

Q. How ...g did she stay there?

A. Till the ...th June following, or thereabouts.

Q. When she came there, did she represent herself as a married woman or as a widow? A. As a widow.

Q. Did she at any time during her continuance there represent herself in another character? A. Yes.

Q. Upon what occasion?

A. I understood that she was married to Mr. Dowler.

Q. How did you understand that?

A. She told me so.

Q. Did Mr. Dowler come to her there? A. Yes.

Q. Was it upon the occasion of his coming to her, that she represented herself to be his wife?

A. Yes.

Q. Did she give any reason for calling herself by the name of Clarke, while she represented herself as married to Mr. Dowler?

A. She stated her reason to be, that if the Duke of York knew that she was married, he would send Mr. Dowler abroad.

Q. Was Mr. Dowler there frequently during her stay?

A. Yes, very frequently.

Q. You have said that Mrs. Clarke represented herself as a widow; in what way did she represent herself, did she tell you she was a widow?

A. Yes, that her husband was dead three years.

Q. When did she tell you that?

A. Some time after she was in the house; perhaps two months.

Q. When did she come into your house first?

A. In October, the latter end of October.

Q. When did she tell you she was married to Mr. Dowler?

A. Soon after Mr. Dowler came to Hampstead.

Q. Whe

Q. When did Mr. Dowler first come to Hampstead?

A. I forget the time, it was soon after the expedition returned from Buenos Ayres.

Q. Did she go by the name of Mrs. Dowler? A. No.

Q. Did you believe that she was the wife of Mr. Dowler? A. Yes.

Q. Did Mr. Dowler often sleep in the house? A. Yes.

Q. Was there a French lady in that house? A. Yes.

Q. What was the name of that lady?

A. Josephine, I think, they used to call her; I did not know her name exactly.

Q. Of how many people did Mrs. Clarke's family consist?

A. At first when she came, herself, Captain Thompson, and this French lady.

Q. Any children?

A. Afterwards there were.

Q. How many children?

A. Two, sometimes three.

Q. How many bed-chambers had Mrs. Clarke in your house?

A. Four or five; she occupied the whole house almost.

Q. Do you know whether this French lady slept with Mrs. Clarke?

A. No, I do not.

Q. Is your wife with you now?

A. Yes.

Q. Is she here?

A. Yes.

Q. Had you ever any correspondence with Mrs. Clarke.

A. I do not understand the question.

Q. Did Mrs. Clarke ever write to you, or you to Mrs. Clarke?

A. Yes.

Q. Do you recollect when Mrs. Clarke last wtote to you?

A. Yesterday.

Q. Did you receive a letter from Mrs. Clarke yesterday? A. Yes.

Q. When was the last time, before yesterday, that you received a letter from Mrs. Clarke?

A. I do not know exactly.

Q. Have you the letter in your possession? A. No.

Q. What is become of it?

A. I gave it to a gentleman, a professional man.

Q. To whom?

A. To Mr. Masters.

Q. What is Mr. Masters?

A. An attorney.

Q. With what view did you give it to Mr. Masters.

A. With a view for him to write to her.

Q. Upon what subject

A. For a sum of money which she owed me.

Q. What were the contents of that letter?

A. I applied to Mrs. Clarke in town, to ask her to pay me my bill, when she was not to be seen; I told the housekeeper, unless she settled the account with me, I should dispose of some instruments of music that were left in part to satisfy me. The same evening, I received a letter, threatening that she knew I had forged a will, wherein I held an estate. Immediately I took the letter to Mr. Masters, telling him that it was all a falsehood, and desiring him to insist upon getting my money, and to despise her threats.

Q. Was it in consequence of the threat contained in that letter, or in consequence of the debt which Mrs. Clarke owed you, you gave that letter to this professional gentleman?

A. In consequence of the threat.

Q. How long was this ago?

A. I do not exactly know; I suppose July last, or thereabout.

Q. Have any steps been taken in consequence by that professional gentleman?

A. He wrote to her, and has received no answer; and I do not think any thing else has taken place since then.

Q. Have you ever continued to apply to Mrs. Clarke since that?

A. No, never.

Q. Did you ever receive any rent from Mrs. Clarke? A. Never.

By

(*By* MR. WARDLE.)
n that letter, did she say that
d forged this will, and that she
ang you?
do not exactly know the
but something to that effect.
ou state that you applied to
wyer upon that subject; why
not proceed against Mrs.
?
thought she owed me enough
already, and I did not like to
ood money after bad.
Do you ever recollect saying,
uld be up with her for this?
No, never to any body.
Do you recollect, that, at any
n consequence of this business
of the will spoken of in that letter, your wife and you parted. A. Never.

Q. You do not recollect your wife leaving you upon that or any other occasion? A. No.

Q. Have you, in your possession, any letters that belonged to Mrs. Clarke? A. Yes.

Q. Have you any objection to producing them?

A. I should not wish to produce them, unless I should be satisfied what she owes me, unless by the request of the House.

[*The witness here produced a bundle of letters. He was then directed to withdraw.*]

PERCEVAL said, that if those letters were any valuable security pledge, the House would return them to the witness. At the ime he did not think they should proceed to examine them because they were letters of Mrs. Clarke, it should be shewn ey had some reference to the subject before the House.

WHITBREAD thought it would be right to ask the witness e came by the letters, before they were read.

WARDLE proposed asking, whether they referred to the sale of ssions, and, if so, to produce them. The reason he wished o be read was, that Mrs. Clarke had told him some time ago, e had burned a number of letters on the same subject as the in- now before the House, that she had given many of them to the s and his wife to destroy, but found lately that they had kept

He applied to the witness on receiving this information, to whether he would have any objection to give them up. He that he had none, provided Mrs. Clarke would give him a re- or them, which she agreed to; on repeating the request, he said had been since advised not to give them up. Those were the stances that induced him (Mr. Wardle) to inquire for the let- -night, and endeavour to bring them before the Committee.— *! hear!*)

witness was again called in.

tate how you came by those

hey were sent down to light with.

y whom?

y Mrs. Clarke.

id she desire those letters, he sent them down, to be

hey were sent down merely to e fire with; they were not

given to me, they were put into the closet, and the maid-servant used to take them out of the closet as she wanted them.

Q. Do you recollect, at the period these letters were sent down, Mrs. Clarke burning a great number of letters?

A. I understand so; I did not see her burn any.

Q. Y

Q. You have read many of these letters?

A. I have read them since this business has been in hand.

Q. Are you aware that any of these letters relate to the circumstances that had been under the consideration of this House?

A. Yes, I think they do.

[*The witness produced two other bundles of letters, and was directed to withdraw.*]

Mr. Yorke objected to the production of the letters; the House, he thought, ought to consider well before they adopted such a measure: all that was known respecting them was, that they were sent down to be burned; they consisted of a large bundle, and might consume much time unnecessarily in the perusal. (*No! no!*) In the second place, they should not be read without knowing from whom they came. As to their application to the case before the House, the witness perhaps was not a proper judge; he would therefore submit whether, under these circumstances, they should not be referred to some Select Committee; (*A cry of No! no! no!*) he would wish to hear the opinions of other gentlemen upon this subject.

Mr. Barham thought that the right hon. gentleman could not possibly adopt a course of proceeding that could be ultimately more injurious to the Duke of York, than an attempt to conceal any part of the evidence that was to be adduced against him. Whatever we might think upon the subject, the country would have its suspicions. They had hitherto gone upon an avowed plan of the utmost publicity, and it was now impossible for them, if they were inclined, to recede from that plan, whoever might suffer by the disclosure. The House could not help it, they must do their duty to themselves and to the country.—(*Hear! hear!*)

Mr. Whitbread proposed that it might be the better plan to put the letters in the same situation they would have been if the witness had delivered them to his hon. friend on his application.

Mr. Perceval had not the least doubt that they might be safely trusted to that gentleman; but at the same time he had apprehensions that it would not appear to all parties so satisfactory a proceeding.

Mr. Beresford did not think that they were before a confessional, or that they were to take cognizance of the private crimes of individuals. He thought the only course was to refer that enormous bundle of letters to a Select Committee of three or more.

Mr. Canning approved of the suggestion of his hon. friend, and thought, that of the three propositions offered to the House, the one just made was the best calculated to obviate the difficulty in which the Committee found itself involved.

Lord Porchester did not see the necessity of a Committee, but thought it would be better that the hon. gentleman who conducted the inquiry, and any other member of that House, should be appointed to examine the letters.

Mr. Ponsonby said, that he had made a resolution, at the commencement of the present inquiry, not to offer any observations upon it, until after the evidence itself had closed, but in the present instance he could not help pressing upon the Committee, the necessity of coming

coming at the best possible evidence that could be had. He did approve of a Committee, but thought it was rather a novel mode to give the minority the controul over the majority.

After a short desultory conversation between Messrs. Brand, Denis Browne, W. Wynne, Bathurst, Banks, and Perceval, it was agreed that the House, on its being resumed, should appoint a Select Committee to examine the letters.

The CHAIRMAN then ordered the witness to be called in.

(*By* MR. WARDLE.)

Q. Have you in your pocket the whole of the letters you took out of the House? A. Yes.

Q. Produce them.

[The witness delivered four bundles to the clerk.]

(*By* MR. WHITBREAD.)

Q. Were you advised not to deliver those letters to Mrs. Clarke?

A. No.

(*By* MR. WARDLE.)

Q. Is that your hand-writing?

A. Yes, it is.

[The following letter from Mr. Nicholls to Mrs. Clarke, dated 13th February, 1809, was then read.]

"Madam, "13 Feb. 1809.

"I rec[d] yours respecting y[r] letters; and on turning the matter in my mind, I don't know how far I am authorized to give them *even to you*, as having been applied to from another quarter on the same business; and as I most certainly shall be obliged to attend the House of Commons, I will look them all up and produce them there.

"In fact I think you ought to settle my Acc[t] before you ask me for any thing.

I am y[r] obed[t] Serv[t]

Mrs. Clarke." W. NICHOLLS."

Q. From what other quarter was it you were applied to for the letters?

A. From no other quarter; I was waited upon by a gentleman on the same business, but in turning it in my mind, I did not know that I was even to give them to any person, without the consent of the House.

Q. Who was the other gentleman?

A. I do not know his name.

Q. Are you certain you do not know his name?

A. I do not know his name.

Q. Did you know his name yesterday? A. No, I did not.

Q. Did you tell me (*Mr. Wardle*) his name yesterday?

A. I do not recollect that I did, I am confident I *did not know his name.*

Q. Recollect youtself

A. I am confident I did not know his name.

Q. Did you not tell me (*Mr. Wardle*) his name was Wilkinson?

A. I believed it was Wilkinson, but I mistook the name, and I do not know the name now; the person who came mentioned the name of Wilkinson, but it was not the person's name who came to me; though I might say it was Wilkinson to Mr. Wardle, I was mistaken.

(*By* MR. PERCEVAL.)

Q. Do you mean to say, that the person who came said he was sent by Mr. Wilkinson?

A. He mentioned the name of Wilkinson, but I am not certain in what way he used that name?

Q. Whom did this person say he came from?

A. He came from Mr. Lowten.

Q. Whoever it was he came from, did he ask for any particular letter, or only applied to you upon the general subject?

A. He said nothing about letters.

Q. What did you mean when you wrote that you had been applied to upon the same business from another quarter; what do these words mean?

A. I meant the business of this inquiry.

(*By* Lord Milton.)

Q. Did the person coming from Mr. Lowten request that you would not produce those letters?

A. No, he knew nothing at all about letters.

Q. What did he ask for?

A. He asked me some questions about Mr. Dowler.

Q. What application did this person make to you?

A. He asked me some questions about Mr. Dowler.

Q. Did this conversation relate to nothing but Mr. Dowler?

A. Mr. Dowler and Mrs. Clarke.

Q. What did he say upon the subject of Mrs. Clarke?

A. I forget almost what he asked me; he asked me a few questions about them, and I told him that she told me she was married to Mr. Dowler.

Q. What did he say upon the subject of papers? A. Nothing at all.

Q. Why then do you assign this person having called upon you from Mr. Lowten, as the reason for not returning the letters to Mrs. Clarke?

A. For no reason for the person having called on me from Mr. Lowten; but on turning the matter in my own mind, I thought it most prudent so to do.

Q. Then why have you stated in your letter, that this person having called upon you was the reason for not returning the letters to Mrs. Clarke?

A. *In turning* it in my own mind, *I thought* that I might be censured *by the House*, understanding that I must attend this House for delivering those letters to Mrs. Clarke.

Q. Had you, at the time of writing that letter, received an order from the House to produce these letters? A. No.

(*By* Mr. Perceval.)

Q. Did the person who came from Mr. Lowten desire you to keep back those letters, and to suppress them?

A. He said nothing at all about them; he did not know that I had a letter, to my knowledge.

(*By* Lord Folkstone.)

Q. At the time you saw that person, had you received an order to attend this House? A. No.

Q. What made you suppose you should be obliged to attend this House?

A. Because the gentleman, who came, said he supposed I must attend this House.

Q. Have you seen that person since yesterday? A. Yes.

Q. Where?

A. I saw him; he came to Hampstead to day, and I came to town with him.

Q. Did he go to Hampstead to fetch you? A. Yes.

Q. Did he carry down the summons to attend this House? A. No.

Q. How came you to come to town with him?

A. He came there after I received the summons; I did not expect he would come there.

Q. His name is not Wilkinson?

A. No.

Q. Do you know what his name is?

A. I should know what his name was if I heard it; I have heard it to-day, but do not recollect it.

Q. Is it Williams? A. No.

Q. Did he say any thing to you to-day about the letters?

A. No, he knew I had the letters to-day.

Q. But he did not speak to you upon the subject?

A. No, I believe his name is Wright, but I am not sure.

You

Q. You stated in the former part of your examination, that you believed Mrs. Clarke was Mr. Dowler's wife, did you ever apply to Mr. Dowler for the satisfaction of your debt. A. Never.

Q. Why did you not?

A. I had not an opportunity.

Q. Did you ever seek for an opportunity?

A. No, I do not know that I ever did; I was not anxious about the business; I did not suppose but what I should be paid.

Q. In what profession are you?

A. A baker by business.

Q. How long have you lived in Hampstead? A. Eight or nine years.

Q. You are a housekeeper there?

A. Yes.

(*By* MR. HIBBERT.)

Q. You have stated, that you believed Mrs. Clarke was Mr. Dowler's wife, and you have also stated that she told you when she came to Hampstead she was a widow; did you suppose the marriage with Mr. Dowler took place at Hampstead? A. No.

Q. Why then did you believe that she was Mr. Dowler's wife, when she had previously told you she was a widow?

A. Mrs. Clarke left my house and went to town; when she returned, Mr. Dowler returned with her, or near that time; it was after that time that Mr. Dowler was in the habit of coming, that she told me she was married to Mr. Dowler.

(*By* MR. BERESFORD.)

Q. You have stated, that you received a letter yesterday from Mrs. Clarke; what are the contents of that letter. A. I have it in my pocket.

[The letter was then read.]

"Mrs. Clarke will esteem herself greatly obliged to Mr. Nicols, if he will send, *as he has promised*, all her letters by the bearer, who she sends in compliance with the arrangement made by him two hours ago."

"Monday, one o'clock."

"Mr. Nicols,
opposite New End,
Hampstead."

Q. Who was the bearer of that letter?

A. I do not know who it was, a servant on horseback.

Q. What did Mrs. Clarke mean by the arrangement?

A. I suppose she means the conversation between Mr. Wardle and myself on the subject.

Q. Repeat as nearly as you can that conversation?

A. Mr. Wardle called on me, to apply for those letters, and I told Mr. Wardle I was not inclined to give them up, in fact I should not think fit to give them up without an order from the person to whom they belonged. Mr. Wardle left me, with the supposition that I should deliver the letters up, when I received an *order from Mrs. Clarke*; but on turning it in my mind I did not think fit *to give them up even then.*

Q. When did Mrs. Clarke know that you had these letters.

A. I do not know how she knew it; perhaps I might mention to some one that I had these things, and it might come to her knowledge by that means.

[*The witness was ordered to withdraw, on which* MR. JOHN REID *was called in, and examined by* MR. PERCEVAL.]

Q. Where do you live?

A. In Saint Martin's lane.

Q. Do you keep an hotel in Saint Martin's lane?

A. I do.

Q. Do you know Mr. Dowler?

A. I do.

Q. How long have you known him?

A. About two years, I believe; cannot be exact as to the time.

Q. Y

Q. How long has Mr. Dowler frequented your house?

A. About two years.

Q. Do you recollect his coming there at any time with a person whom he represented to be his wife?

A. I do.

Q. When?

A. At all of the times he was in town, at some time or other.

Q. Has he been frequently at your house with a person whom he represented as his wife.

A. Not very frequently.

Q. Do you now know who the lady was whom he so represented as his wife?

A. I do not.

Q. Was it the same person that always came with him?

A. The same person.

Q. When was that person last at your house, that you knew her to be there?

A. I think last Friday se'ennight, the day that Mr. Dowler came to town.

Q. You do not know who that lady is?

A. I have heard, but I do not know of my own knowledge.

Q. Has Mr. Dowler supplied any body with wine from your house?

A. No, Mr. Dowler has had some wine from my house.

Q. Where has that wine been sent to?

A. I believe somewhere by Bedford-square, I think, but I do not recollect; if I had expected to be asked the question, I would have made myself sure of it.

Q. Did the lady who came with Mr. Dowler, go by the name of Mrs. Dowler?

A. Certainly she did, or she would not have been in my house.

A. Was the person who was with Mr. Dowler on Friday se'ennight, at your house, the lady who used to be with him under the name of Mrs. Dowler?

A. *The same.*

Q. *Did* you ever hear her go by any other name but that of Mrs. Dowler?

A. No.

Q. Did you ever address her yourself by the name of Mrs. Dowler?

A. I did.

Q. Did she answer to that name?

A. Most certainly.

Q. Are you sure it was on Friday se'ennight that this lady was at your house for the last time?

A. The last time that I saw her.

Q. Are you sure as to the day?

A. To the best of my recollection.

Q. Are sure it was the day Mr. Dowler arrived in town?

A. I think it was.

Q. Are you certain of that fact.

A. As well as my memory serves me I am.

Q. Have you seen that lady anywhere in the neighbourhood of this House since you came?

A. I have not.

Q. She passed as Mrs. Dowler on that evening?

A. Yes, she did.

Q. Have you ever heard Mr. Dowler call her by the name of Mrs. Dowler?

A. Yes, I have.

Q. And she answered to that name?

A. Yes.

[*The witness was directed to withdraw.*]

(GEORGE ROBINSON *was next called in, and examined by* MR. PERCEVAL.)

Q. Are you the porter at Slaughter's Hotel.

A. Yes.

Q. Do you know Mr. Dowler?

A. Yes.

Q. How long have you known him?

A. From the time that he returned from the expedition that came home from Buenos Ayres; that was the first knowledge I had of him.

Q. Did you ever see with him any lady that he called by the name of Mrs. Dowler? A. Yes.

Q. A

Q. At your master's house? A. Yes.
Q. Living with him there?
A. For a short time.
Q. As his wife?
A. Yes, as his wife.
Q. Do you know who that lady is?
A. Yes.
Q. Who is it?
A. She goes by the name of Mrs. Clarke, to my knowledge.
Q. How do you know that?
A. By the public talk I have heard hat of her; nothing further.
Q. Have you ever been to her house?
A. Yes, in Bedford place, leading from Bloomsbury Square to Russel Square.
Q. Was there any name upon her door there?
A. Not to the best of my recollection?
Q. Did you ever carry her any thing there? A. Yes.
Q. What? A. Wine.
Q. From your master's? A. Yes.
Q. Who ordered that wine?
A. I received the order from my master?
Q Have you seen her at your master's house lately? A. I have not.
Q. Have you seen her since Mr. Dowler's return from Spain?
A. I have not.
Q. Have you seen Mr. Dowler there since? A. Yes, I have.
Q. To whom was the wine directed to be carried? A. Mrs. Dowler.
Q. To be carried to No. 14 Bedford place? A. Yes.
Q. You would know the lady if you saw her?
A. Yes, I believe I should.
Q. Have you ever seen her at any other place, or carried wine to her any where else? A. Yes.
Q. Where?
A. At the end of the King's Road, I believe it is called Westcott Buildings, or something of that sort, leading to Sloane Square.
Q. What name did you carry it to there? A. Mrs. Dowler.
Q. When?
A. I might say I believe it was the 13th or 14th of December last.
Q. Who ordered that wine?
A. I am not sure.
[*The witness was directed to withdraw.*]

(SAMUEL WELLS *was called in, and examined by* MR. PERCEVAL.)

Q. Are you a waiter at Slaughter's Coffee-house? A. I am.
Q. Do you know Mr. Dowler
A. Yes.
Q. Do you know Mrs. Dowler?
A. By name.
Q. Have you seen her?
A. By the name of Mrs. Dowler I have seen her?
Q. Have you heard her called by that name? A. I have?
Q. When did you see her there last?
A. It might be about eight days ago?
Q. Do you recollect the day of the week? A. I cannot.
Q. In whose company was she?
A. With Mr. Dowler.
Q. How long did she stay there?
A. One night.
Q. Do you happen to know what the real name of that lady is now?
A. Not till I had seen it in the paper.
Q. Have you seen her any where else.
A. No where else but at our house.
Q. Did you ever deliver a letter to this lady, directed to Mrs. Dowler? A. No, I have not.
Q. Was Mr. Dowler ever there with any other lady except this?
A. Not to my knowledge.
[*The witness was directed to withdraw.*]

MR. WARDLE then desired Mrs. Favourite, the housekeeper of Mrs. Clarke, to be called, but the Serjeant reported to the House that she was not in attendance. He then declared he should not trouble *the Committee with* any more evidence.

Mr. Perceval then called upon the hon. gentleman to declare, whether it was his intention to bring forward any new matter or charge, in addition to those already adduced.

Mr. Wardle declared he had not made up his mind on the subject, as he had not fully informed himself of the amount of the evidence in support of it, but he would prepare himself to announce his intention to-morrow.

Mr. Perceval observed, that though he might not be enabled to state the particulars, he might inform them of the nature of the charge he meant to bring forward.

Mr. Wardle declared he could not disclose it that moment; but he assured the right hon. gentleman he would disclose it the very first moment it was in his power.

Lord Folkstone said, his hon. friend might be busily employed in the morning investigating the evidence, but his Lordship would take care to communicate their intention as soon as they came to any conclusion.

Mr Perceval still pressed for a disclosure of the nature of the charge intended to be brought forward.

Mr. Canning said, that such a thing was never heard of, as an intended charge so vague that the party had not prepared to state what it was. The consequence was, that while the impression went forth to the public, the accused would be deprived of the means of being prepared for his defence.

Lord Folkstone replied, the charge was not vague, for it was not made, and would be indeed subjecting themselves to censure, if they were to make it before they knew whether they had such proof as would justify them in bringing it forward.

Mr. Whitbread defended the hon. gentleman and the noble lord from the imputation of concealing the nature of the charge, for the purpose of not allowing time for defence. If such a thing were intended, the House would prevent the injustice, by allowing sufficient time for that purpose. It was easy to conceive information given of a charge so important as to deserve inquiry, and yet the testimony so doubtful as to require time to consider whether it could be sustained: upon these grounds, he was sure his friends would stand acquited in refusing to disclose it.

Mr. Perceval persisted in the opinion, that the mode of proceeding was unusual and unprecedented.

The House being resumed, Mr. Wharton reported that the Committee had ordered the papers delivered to them by Mr. Nicholls to be sealed, and directed him to move, "That a Select Committee be appointed to inspect the same, and to report such and such parts thereof, as were relevant to the charges before the House."

A Select Committee was accordingly named, consisting of the following gentlemen:—Mr. Wardle, Mr. Williams Wynne, Mr. Croker, Mr. Brand, and Mr. Leach; three whereof to be a *quorum*.

The other orders of the day were postponed, and the House *adjourned*, at half past one o'clock.

EIGHTH

EIGHTH DAY.

WEDNESDAY, FEBRUARY 15, 1809.

UPON the motion of MR. WARDLE, Mr. M'Dowall was ordered to attend the Committee for investigating the conduct of the Duke of York. Mr. Charles Greenwood was also ordered to attend.

MR. LEACH presented the report of the Select Committee, appointed the preceding night, to inspect certain letters submitted to the Committee of the whole House, for investigating the conduct of his Royal Highness the Duke of York. This was read by the clerk at the table, and was to the following purport:

"Your Committee have inspected the several letters referred to them, and selected and placed in a bundle, marked (A), all the letters relevant to the matter in question; but they beg leave to remark, that they are not to be understood as giving an opinion, whether all or any part of the said letters are fit to be made evidence, or are proper for the inspection of the whole House, or pronouncing any judgment upon that point."

LORD FOLKSTONE then rose. He said, that after what had passed the preceding night in the House, on the subject of disclosing a new charge, he should not think it necessary to say any thing in his own vindication; but he hoped and trusted that the House and the country at large, would think and feel, that while his hon. friend, who had felt it his duty to bring the present business forward, had been attempted to be branded with the disgraceful epithet of *accuser*, he had not been allowed to proceed in the way he had chalked out for himself, but had been forced into a line different from what he intended, by the professed friend and adviser of the *accused*; a mode of which he would be bold to say this was the only instance to be found. He hoped that House and the country would remember, that his hon. friend had been hurried on, day after day, without intermission or rest, and that he had been left to struggle through the business alone, till within these few days, when some gentlemen, feeling for the hardship of his situation, had stepped forward to offer their assistance. He hoped it would not be forgotten, that his hon. friend was prosecuting the inquiry under the threats of infamy, and all the consequences of a failure. These observations his Lordship conceived due after what had passed. With respect to the business before them, he now wished to state *those particulars* which had been asked for yesterday, *but which he then felt it* his duty to decline disclosing. Some days ago *a gentleman* had stated, that he had seen certain papers affecting

affecting the Duke of York, in respect to the charges now under discussion, but that the person who had them was unwilling to produce them, but he suggested a clue by which they might be discovered. They had passed into the hands of a solicitor, in his character of agent to a commission of bankruptcy. The name of the bankrupt was procured, but as it was found, on enquiry, that there were several of the same name, and of course different agents, it was necessary to call on several before the right person was discovered. His Lordship questioned him concerning the papers, and he said he had them, but was unwilling to produce them, as he feared he should by so doing acquire the character of an informer. His Lordship endeavoured to obviate this objection, but he also expressed his fear of offending the Chancellor of the Exchequer, to whom he had formerly been under some obligations. He assured him he had no ground for apprehension on that head, when he was only doing his duty. But his principal objection, his Lordship said, was, that the disclosure would injure him in his professional character. His Lordship made inquiries whether such a principle of concealment was considered essential, but he could find no such rule. The conclusion of the affair was this: his Lordship found that the person of whom he was speaking, considered the business to be taken up as a ministerial question by the other side of the House, and he dreaded incurring displeasure, and the consequent ruin of his family, which wholly depended on his exertions. Nor was this the only instance in which information had been refused. His Lordship believed he could prove cases where officers had declined coming forward, through fear of the consequences. He also told his Lordship he had not the papers in his possession, because he had put them away through fear of being called on to produce them. At length it was agreed on that he should call on the late Solicitor General, and state to him the circumstances, and take his advice whether or nor he should produce the papers. His Lordship was to have met him this day at a quarter after three o'clock, but instead of seeing him, he received a note from him, stating, that Sir Samuel Romilly was engaged, and that he had not yet seen him. Under these circumstances, his Lordship conceived it his duty to state what he knew to the House, as he had before done to the Chancellor of the Exchequer. This was the whole of what he knew, as he had not seen the papers; but he had seen an abstract of them, and, as far as he could judge by that, he conceived that they had a bearing upon the question before them, as to the disposal of places under Government, if not as to the army, and he conceived from the course they had hitherto pursued they ought not to be rejected on that account. His Lordship concluded with suggesting the propriety of calling for the papers, as the person was ordered to attend at their bar, and, as they had done last night, submit them in the first instance, to the *inspection* of a Select Committee, for the purpose of making their *report* upon them.

Mr. Perceval defended the House from what he considered aspersion

spersions thrown upon it by the noble Lord. His Lordship had tated, they should never forget the strange manner in which the on. gentleman had been forced to proceed; he hoped that their emembrance would be correct on the subject, and he had no fear hat it would be unfavourable. He agreed with the noble Lord, saying an hon. member (Mr. Adam) had pressed that the inquiry ould be open, but he would ask was that mode forced upon the ouse? There had been only two voices, the hon. member's, who roposed the inquiry, and his Lordship's, against what appeared the House the most proper mode of proceeding. That this was ot wrong was manifest, from the hon. gentleman (Mr. Wardle) aving acquiesced, and his not having moved for a Select Committee; and on the contrary shewing no reluctance to the course roposed. Was it then, he would ask, either fair or just, to call his an unheard of or harsh mode of proceeding? or that the House hould be held up to public view as endeavouring to impede that ustice, which on the contrary they had endeavoured to promote? f, therefore, they were to be tried, he was confident they would e acquitted, if the facts were fairly known; as he would be bold o say, that on no occasion were to be found proceedings more fair, or a greater readiness evinced to afford every assistance in attaining the end proposed. For this he could refer to one fact, that in the course of the discussion not a single division had taken place, nor a single measure been opposed without the hon. gentleman acquiescing in the opposition; and it might be fairly inferred, that if the noble Lord himself had thought them in the wrong, he would not have failed to shew his sense of it by dividing the House, and then there would be a list of the glorious minority. It was also urged as a ground of accusation, that their mode of proceeding was too rapid; but the hon. gentleman had had his own time to prepare his charges, and had only to procure his witnesses, and when one day was deemed more fit than another, it was acquiesced in. He had been also alluded to as having used the term *accuser*. He agreed he had said that if the charges failed, infamy would attach to those who had made false charges, and censure on such as had been too credulous in listening to them. With regard to the noble Lord himself, he admitted he had said, he thought it harsh to refuse to name the charge, but when his Lordship called on him, he had given satisfactory reasons for that refusal. When his Lordship stated that other proofs were withheld by officers, through fear of the consequences, did he recollect what impression this might make on the public mind, who might thereby be induced to say, that though this or that charge was not proved, all those were nothing to what could have been proved, if it were not for the fear of the Government; and yet might not some of those hidden charges be as unfounded as some of those which they had been investigating had turned out to be? These observations he considered as necessary from what had fallen from the noble Lord. With respect to the *papers* alluded to by his Lordship, he conceived *it better for him to see them*, if possible, and form his own

judgment upon them; if that should be found impossible, they then might appoint a Committee for the purpose; but it was better his Lordship should make the trial in the first instance.

Lord Folkstone explained, and said, that he should not have adverted to the circumstances upon which the right hon. gentleman had enlarged, had it not been owing to the terms used by some hon. gentleman opposite on a former night, implying, that infamy must fall on his hon. friend, should he not succeed in establishing these charges. *(A cry of No! No!)*

Mr. Perceval replied, that the noble Lord had nothing more to do, than to use the summons of the House, to call the persons to whom he had alluded to the bar, so as to obtain the production of any evidence which he might deem necessary.

Mr. Adam observed, that after the very able manner in which the right hon. gentleman opposite (Mr. Perceval) had spoken, in answer to what had fallen from the noble Lord near him, he certainly should not have deemed it necessary to add one word, if he had not received information, while he was out of the House, that it had been stated that the hon. gentleman who brought forward this question, had been driven from his course by the express adviser of the Royal Duke. "These are nearly the words I had handed to me, and I appeal to the noble Lord himself if they be correct."

Lord Folkstone.—"I certainly said, that the course which had been adopted in these proceedings, was by the express solicitation of the professed adviser of the Royal Duke."

Mr. Adam continued and said—"Of course that was the sense in which I understood the noble Lord to have spoken respecting me; but what I have principally to complain of, is, that in the House of Commons, where every man is addressed in terms suitable to his particular character—such a Baronet by the title of Worthy Baronet—a Lord by that of Noble Lord—another Member by that of Honourable Gentleman, and so on, it is surely both irregular and unjust, particularly in such a case as this, that any epithet should be given to any person in this House, except that which is consonant to the usage of it. If the noble Lord had said that the learned gentleman had done so and so, I should not perhaps have made any observation upon the subject; but when it is to go forth to the country, that the "*Professed Adviser*" of the Royal Duke had suggested the mode of investigation going forward, I think I have reason to complain that I was merely alluded to by the title of the "*Professed Adviser*," instead of that which was appropriate to the custom of its proceedings. I have my feelings as to this subject, for it is not impossible that any person who has appeared as a witness before the Committee of the House, from the great length of the proceedings, may be found to have fallen into a mistake; for the best of persons may err; but these things make me particularly anxious to repel the effect of the appellation which the noble Lord has given me, in the most positive manner, that my statement may go out to the public in as strong

terms

terms as the other was given. I know that this House do not, in general, wish to hear personalities, but I trust they will listen to the justification of a person who, in the course of a very long life, and a great deal of business and public duty, both in and out of this House, thinks it of importance that he should preserve, without stain or blemish, that character and reputation which has been honourable and respectable throughout life. I appeal to the House, whether, in a life of 25 years of Parliamentary duty, spent in no great prosperity, but certainly rather in very considerable adversity, with a large family to support, I have not resisted any thing like temptation, but adhered to a line of independent conduct in this House? and if the noble Lord cannot attach to my character the criminality of bartering my situation in Parliament during that long period, I think it is rather too late now to attempt to make such insinuation, by using a particular expression, or to hint, that by being the adviser of the Royal Duke, I have deviated from my original line of proper conduct. That I have had intercourse with that Royal Duke is certain; but I beg the House to recollect what was the nature of the proceedings now before them, at the time I first ventured to touch upon the question. The hon. gentleman who brought it forward, did not of himself make any specific motion for a Select Committee being appointed for the investigation, although he hinted in his speech, that such a Committee might be the most proper mode. In the course of the discussion it was suggested, that a Parliamentary Commission should be instituted, and, except that, and the instance of the noble Lord himself, I do not recollect that there was a single dissentient voice in the House as to the course of proceeding. I was most anxious that the proceeding should be public, but the motion for a Committee of the whole House was not made by me, but suggested and made by others, who stated the advantages likely to be derived from it. I put it to the House if there has been the least interruption to the most free, perfect, and impartial inquiry possible? No objection has been started to prevent that course being adopted, and that sort of investigation taking place. I have never pressed myself forward in any manner that can entitle any one to add the appellation to my name of "*Adviser to the Royal Duke.*" When the noble Lord and hon. gentleman stated, last night, that they had another charge to bring forward, I abstained entirely from personal interference, and was determined to do so, unless when called upon to answer questions."

Lord Folkstone stated, that he meant no imputation by calling the learned gentleman the adviser of the Duke of York.

Mr. Calcraft.—"I should not object to the noble Lord taking credit to himself for the assistance he afforded to the hon. gentleman who has brought forward this investigation; but it was rather singular to hear him arrogating to himself all the merit of doing so. This was to detract from the exertions of others, who certainly lent their assistance. I felt somewhat delicate upon the subject of interfering *personally to assist* the hon. gentleman, being well convinced,

b

by former experience, of his abilities to manage such matters. This it was that prevented me from thrusting myself into his councils, unasked and uncalled for; but I think it ill becomes any member to arrogate to himself merit superior to any other member of the House, when their motives might be as just and as judicious as his own. I think I have already read my noble friend's panegyric in some publication, or I may yet read it; and I think it might have come, or may yet come, with a better grace from any other pen or mouth than his own."

LORD FOLKSTONE.—"I arrogate no merit to myself, but I was merely stating the fact, that I had thought it necessary to afford the hon. gentleman, who was stiled *actuser*, some personal assistance in this investigation."

The House then went into a Committee.

MR. WARDLE stated, that as he understood rumours were going abroad that he could not prove the hand-writing of the Duke of York by any other testimony than that of Mrs. Clarke, he hoped that some declaration would be made by some of the hon. gentlemen opposite, on that point, or he must call witnesses to prove it more satisfactorily.

The ATTORNEY GENERAL said, that the hon. gentleman was mistaken, in supposing that any person in that House had authority from the Royal Duke to prove his hand writing. As for him, he could not suggest any other mode for him to pursue, than that of calling witnesses upon every point he wished to prove.

MR. WARDLE then proposed to call Col. Thomas Walker, to prove the Duke's hand writing; but this witness was not in attendance.

Mr. William M'Dowall was next called, but he had not then arrived.

MR. WARDLE proposed next to call the attention of the House to the Letters that had been produced by the Select Committee, and first as to two Letters from Samuel Carter to Mrs. Clarke.

MR. LEACH observed, that it would be necessary in the first place to prove the hand writing of the several letters intended to be produced as evidence.

For this purpose the first witness called was Mrs. Mary Ann Clarke.

(*Examined by* MR. LEACH.)

Q. Do you know the hand-writing of Samuel Carter?

A. Yes, I do.

Q. Do you know that to be his hand-writing?

A. Yes, I do.

Q. Is that also [*another letter*] his hand-writing?

A. Yes, and that also [*a third letter.*]

Q. Have you ever seen him write?

A. Yes, I have, many times.

Q. Do you know the hand-writing of General Clavering?

A. Yes, I do.

Q. Have you ever seen him write?

A. Yes, I have, many times.

Q. Do you know that to be his hand-writing? [*a letter being shewn to the witness.*]

A. Yes, it is. [*Three other letters being shewn to Mrs. Clarke*] These also

so are General Clavering's hand-riting.

Q. Is that the hand-writing of aroness Nolleken? [*a letter being iewn to the witness.*]

A. Yes.

Q. Is that also? [*another letter.*]

A. It is.

Q. Did you ever see the Baroness rite?

A. Yes, I have; and that also [*a hird letter*] is her hand writing.

Q. Did you ever see Mr. Elderton rite?

A. There are three Mr. Elderton's.

Q. Did you ever see the Mr. Elderton write by whom those letters are subscribed?

A. Yes; I got him a Paymastership in the 22d Light Dragoons; these three are all his hand-writing; it is the eldest Mr. Elderton. Before I leave the House I beg leave to say, I never in my life told Mr. Nicholls that I was married to Mr. Dowler, and that the Duke of York would send him abroad, nor any thing of the kind. I rather think he has been bribed by Mr. Wilkinson.

The following Letters from Samuel Carter to Mrs. Clarke were hen read:]

" Hon[d] Madam, " 20th Sept[r] 1804.

" I wrote to the Inspector Gen[l] (Gwynn) for leave of absence on he 14th, but rec[d] no answer, which has thrown me into a great ilemma, having this morning been put in orders to hold myself in eadiness to do duty in a day or two. The Adjutant informs me, I have not my regimentals ready when called upon, I shall be ut under an arrest. Permit me, Madam, to hope that your oodness (which I have experienced so often in the greatest degree ossible) will extricate me from so unpleasant a situation, by obaining me leave of absence speedily.

" Hon[d] Madam, the favour of a line would tend to disperse hose fears which have been some time prevalent with me, which vas occasioned by your silence, (viz.) that some part of my conduct has offended you: from gratitude, I say with energy, God Almighty forbid.

Accept, Madam, the sincere
thanks and acknowledgments
of your grateful Servant,
SAML. CARTER."

" Note. Having wrote to his Royal Highness for leave, I rec[d] an answer, directing me to apply to the Inspector Gen[l].

" Mrs. Clarke,
18, Gloucester-place,
Portman-square,
London."

" Isle of Wight,
2d Oct[r]. 1804."

" I was extremely sorry at not having had it in my power to wait until you came in *from the Baron's*, in order to thank you for the kind benevolence

benevolence I have ever experienced from you, and which has made so deep an impression on my heart and mind as not to be erased by time. Hon^d. Madam, I have still to beg the continuance of that benevolence: for, having placed me in a situation which requires a great number of expensive things at first, and notwithstanding having laid out my money with the greatest economy, I find it inadequate. I have now the offer of a barrack-room (which will save the expence of lodgings) but I have no cot, or any money to buy one; neither have I any to subsist on till the 24th. If, Madam, you will extend your kindness toward me once more, it will ever be gratefully remembered

by Madam, your sincerely
thankful servant,
SAML. CARTER."

" Hon^d Madam, I have set the things down which I bought, by which you will see the state of my purse.

	L.	*s.*	*d.*
" Belt and Feather.....	1	8	0
" To Sword and Sash.....	6	3	0
" Gorget and Swordknot....	1	8	0
" Paid Lewis	7	0	0
" Do. Laundry Maid	0	10	6
" Do. Taylor's Bill	2	3	0
" Trunk	1	11	6
" Gloves and Stockings	1	2	0
" Silk Handerchiefs.....	0	14	0
" Round Hat trim^d	1	14	0
" Watch from pledge.....	2	3	0
" Boots and Shoes	3	10	0
" Expences down	2	5	0
" Borrow'd at Depôt	6	2	6
" To Jacket and Trimmings	4	5	0

Total		
L.	*s.*	*d.*
41	19	6

" Mrs. Clarke,
18, Gloucester-place,
Portman-square,
London."

" Clarendon Transport,
" Hon^d Madam, Spithead, 4th, Jany. 1805."

" Impelled by my dreadful situation, and my perfect knowledge of your goodness, I trust you will pardon the liberty of addressing you again.

" Since my last, the embarkation has taken place, and I am now on board in a situation not to be described. You can form a better idea of it than in my power to express. I have no stock for the voyage, neither have I any money to purchase those little things which are absolutely necessary. I have to keep watch four hours every night, and have

ave nothing to eat but salt meat three times a week, and water to rink, the rum being so bad, 'tis impossible to drink it.

"Your goodness to me has ever been such as leaves not the mallest doubt that you will not suffer me to starve in the situation you ave been pleased to place me, and which is such as will ever tend to nake me the most grateful and happy of beings.

"Should, Madam, you be induced to take into consideration my vretched case, and by a little pecuniary aid save from every thing that s horrible, it will be an act worthy of yourself, and that imprint upon ny heart which will never be erased.

I am Madam,

Your grateful servant,

"Be so kind as direct the letters to be left at the Post-office, Portsmouth." SAML. CARTER."

"P. S. We shall lay at Spithead this fortnight.—Having rec[d] orders to sail to Cork this morning, I have opened the letter, in order to say you would direct to Cork, but we only stay there 24 hours, as he convoy is appointed."

"Mrs. Clarke,
18, Gloucester-place,
Portman-square,
London."

MR. LEACH then observed, that the letters said to be written by Baoness Nolleken were not particularly applicable to any charge before he House, referring to the interference of his Royal Highness, not as to nilitary appointments, but in matters merely civil; and he should, herefore, take the liberty of submitting to the House, whether these etters should then be read, as the present investigation only related to nilitary appointments?

MR. WHITBREAD proposed, that they should proceed to hear those next in order, as the hand-writing had been identified.

[The letters from General Clavering to Mrs. Clarke were then read:]

"Bishop's Waltham, 30 June, 1804."

"My dear Mrs. C.

"Where your note of Wednesday has been travelling, as it only arrived here this morning, I have no notion, and it had not reached Conduit-street at five o'clock Wednesday afternoon, when I quitted town. The disappointment is provoking, as I particularly wished to have seen you. But we must console ourselves in the hope of more fortunate times.

Very truly your's,
H. M. CLAVERING."

"Mrs. Clarke,
18, Glo'ster-place,
Portman-square,
London."

"Bishops Waltham 5 Sepr 1804."

"My dear Mrs. C.——

"You mention that his Royal Highness did not comprehend my proposal; my idea was this;—the Defence Act, article 30, states "that men to be raised by that act, are not compellable to serve out of the United Kingdom and islands immediately attached." And in 32, "that they shall not remain embodied for more than six months after the peace." We have already experienced the fatal necessity of disbanding corps at an apparent conclusion of war, and the mischief arising from holding out temptation to men to extend their services.

"My proposal then was to raise a battalion for *general and unlimited service*, by the voluntary offers of a stipulated number of men from each regiment of militia, at a certain bounty, in the same manner as some of our regiments were augmented during the last war. The battalion to be solely officered from the half-pay list, by which Government would at once acquire a certain effective and well disciplined force, whose services they can to any period command, the half-pay be lightened, and the Militia Colonels have no reason to growl, since it is determined that their establishment is to be reduced, towards which the men so volunteering would conduce.

"Should opportunity occur, do submit the plan to his Royal Highness, without arguing too strongly upon it, as he must be tired to death with proposals; and as I would not appear, even through so circuitous a channel, to trespass on his patience, when so recently under an obligation for my present appointment.

"If you approve of dry reading, get the Defence Act to refer to, and do communicate all the good things in the good town.

Always very truly yours,
H. M. CLAVERING."

"My dear Mrs. C——, "28 Sep^r.

"I shall not pursue the partridges on the first of September, on the contrary, propose being in London in the course of the morning, and beg you will send me word at the Prince of Wales coffee-house, whether you can receive me in boots about six, or later, if you please.

Very truly y^rs
H. M. CLAVERING."

"Mrs. Clarke,
18, Glo'ster-place,
Portman square,
London."

"Bishops Waltham, 11 Novr 1804."

"My dear Mrs. C.

"The purport of this is to thank you for your attempt to serve me, tho' unsuccessful, the inclination being the same. On Sunday next I propose

I propose being in town, if possible, for one day only, Can you so contrive that we shall meet?

Y^n very truly,
H M. CLAVERING."

" Mrs. Clarke,
18, Glo'ster-place,
Portman-square,
London."

" Bishops Waltham,
" My dear Mrs. C. 12 Dec, 1804."

" There is a strong report, that some *new* regiments are about to be raised, which, tho' incredible, I will be obliged to you to ascertain the truth of, and to acquaint me *soon as possible*.——W. O. left me this morning for town, to return again next week.

Very truly y^n,
H. M. CLAVERING."

" Mrs. Clarke,
18, Glo'ster-place,
Portman-square,
" London."

(MRS. CLARKE *was again called in, and examined by* MR. WARDLE.)

Q. Through what influence did you get the Paymastership for Mr. Elderton?

A. The Duke of York obliged Mr. Greenwood to give it, very much against Mr. Greenwood's wishes.

Q. Was it any military matter upon which the Baroness Nolleken wrote to you?

A. No, it was not.

[*The witness was directed to withdraw.*]

MR. LEACH—" I apprehend we ought not to admit of this question, as the letter itself relates to a civil appointment, which is not at present the subject of investigation."

SIR G. WARRENDER supported the propriety of putting this question, upon the ground that similar matters had already disclosed in some of the former interrogatories.

MR. BATHURST thought the question might be proper, according to the answer that might be given by Mrs. C. as to whether she solicited his Royal Highness for the appointment mentioned in the letter.

LORD FOLKSTONE thought that if there were any force in the objection, it would be necessary for the Committee to direct the Chairman to move for the enlargement of their powers.

[*The witness was again called in.*]

(*By* MR. WARDLE.)

Q. In consequence of the Baroness Nolleken's letter, did you apply to the Duke of York upon the subject of that letter?

A. Yes, I did, but I do not know what that subject is; there are several wishes the Baroness had, that I applied about; I shewed all her letters to him.

(*By* General Loftus.)

Q. You have stated, that the Duke of York obliged Mr. Greenwood to give the Paymastership to Mr. Elderton much against his consent; how do you know that?

A. His Royal Highness told me so himself; and very likely Mr. Greenwood will say so too.

(*By* Mr. Leach.)

Q. Look at those letters again, and say whether they are all written by the same person?

A. Those are her letters (No. 41 and 119); when she was ill her eldest son wrote for her; I should rather think this (No. 127) is her eldest son's writing.

Q. Did you ever see the eldest son write?

A. Yes, I think I have; but I cannot be positive as to his hand-writing; I only know the Baroness has frequently told me that she had ordered her son to write to me when she has been ill.

(*By* Mr. Sturges Bourne.)

Q. Is the letter which you say was written by the son of the Baroness, one of those which you just said was written by the Baroness herself?

A. Yes, it is one of those; but you will allow that I had not a moment to look over it; and another thing, those letters have been taken without my consent, and I have not looked at them myself; I had sent them down to be burned, and never thought they would come forward again, and this is near a twelvemonth since.

Q. Do you mean by the eldest son of the Baroness Nolleken, Mr. Le Maitre?

A. No, Gustavus Nolleken.

Q. Have you ever seen him write?

A. Yes, I have seen him write, I think; but I cannot be positive as to his hand, any further than I said before, that he used to write his mother's notes.

Q. Do you mean to say that those letters were written only twelve months ago?

A. No; I suppose there are dates to them, to shew when they were written.

Q. Do you know the hand-writing of any other son of Baroness Nolleken?

A. No; I was acquainted with the two sons, but I do not know the writing; the youngest son was in the Guards, and was very seldom with his mother; the other was always with his mother, and a great deal with me.

Q. Then you cannot positively state that this is the hand-writing of any one son of the Baroness Nolleken in particular?

A. No, I cannot; perhaps it is the Baron's writing; he used to write to me.

Q. In short you do not know whose hand writing it is?

A. I hardly looked at it; I know pretty well what the subject is, and whence it came; the Baroness wanted a pension of 400*l.* a year, and, if I recollect right, that is the letter about it.

[*The witness was directed to withdraw.*]

Mr. Leach proposed that the above question and answer should be expunged, as the Committee was not to inquire as to civil appointments.

Sir Thomas Turton and Mr. Charles Adams supported the question, as perfectly relevant.

This point was not further discussed, but they proceeded to hear the letters from Mr. Henry Elderton, to Mrs. Clarke.

"My

"My dear Madam,

"Nothing but the pardonable anxiety which I naturally feel for the welfare of a child, should induce me to presume to trespass upon you at present.

"You know my boy Charles, he is a fine youth, with a finished education. His appointment to a Cadetship in the infantry for Madras was confirmed this morning, and I shall engage him a passage on board the Ocean, which will sail from the Downs in about five days.

"Charles must leave town for *Portsmouth*, and go on board on *Wednesday next*.

"Do you think, my dear Madam, that his Royal Highness the Duke of York will condescend to honour him with letters of recomdation to Lord William Bentinck, *Governor* of Madras, and to Major General Sir John Francis Craddock, K. B. the Commander in Chief there; desiring them to exchange him from the infantry, and place him in the cavalry?

"If you will confer upon us both the very great favour of soliciting his Royal Highness, to deign to confer upon us this distinguished obligation, it will for ever remain deeply engraven upon the grateful hearts of Charles Elderton, and of

My dear Madam,
Yours very sincerely,
Hy. Elderton."

"Friday
18 Jan"

"I have this moment received a summons to attend Mr. Greenwood, who has heard from Scotland, and desires me *not* to make any *preparations for a voyage*. I fear all is over in that quarter, but I shall know to-morrow, and will immediately afterwards wait upon you.

"Mrs. Clarke,
18, Glo'ster-place,
Portman-square."

"My dear Madam,

"I fancy you are (and I sincerely hope you ever will remain) a perfect stranger to anxiety, otherwise I think you would not have left town on Friday, without first gratifying me with a reply to my last.

"Perhaps you will have the goodness to introduce the subject to the notice of his Royal Highness on Monday evening, and so enable yourself to oblige me on Tuesday morning with such an answer as may serve to guide the conduct of

Your faithful Serv[t]
Hy. Elderton."

"21 Portman-square,
3d Dec[r]."

"Mrs. Clarke,
18, Glo'ster-place,
Portman-square."

"Sir,

"Sir,

"It is infinitely beyond the power of language to convey to your Royal Highness an adequate idea of the extent of my gratitude for the great favour which you have deigned to confer upon me, in confirming the leave of absence granted to me by Sir Robert Abercrombie. Your Royal Highness has raised me from the most profound despair to happiness, and I shall never cease to bless your Royal Highness for your gracious condescension and goodness towards

Your Royal Highness's
Most devoted servant,
HY. ELDERTON."

"17 April."

"His Royal Highness
The Duke of York,
&c. &c. &c."

[Two Letters from Baroness Nolleken to Mrs. Clarke were next read.]

"Glocester-place, Sepr 22."

"My dear Madam,

"I am this moment favoured with your very kind letter; this fresh mark of your friendship gives me great pleasure. I hope the change of air has perfectly restored your health, and that I shall have the satisfaction of seeing you return to town in as good looks as ever. My dear Baron, with his best respects to you, begs you will have the goodness to assure H. R. H. of the deep sense of gratitude he feels for the Duke's gracious remembrance of him, and thinks with you that his Mty would be more liberal to him than to Mr. - - - - if he dare presume to judge from his Mty goodness to him for these forty years past, on every occasion. I hope the weather has been as fine at Margate as in London; it has, thank God, quite restored my health. I flatter myself you will favour me with a visit on Wednesday, any time most agreeable to you to name; for, be assured, I enjoy very sincerely the pleasure of your society, exclusive of the gratitude I shall ever feel for the kind interest you take for me and mine. Adieu my dear Madam.

Believe me yours
most truly,
M. NOLEKEN."

"Mrs. Clarke,
Royal Hotel,
Margate,
Kent."

"Dear Madam,

"I see by the papers, that the *D*.. was with the King yesterday morning, and that Mr. Pitt had a private audience of his Majesty, I *therefore* indulge a hope that my request may have been thought of; do

do then my dear Madam, inform me in what state of forwardness it now stands, when and by whom my letter was given, and how received. Pardon my giving you the trouble of answering me *all* these questions, but the very *kind* part you have taken in this business, assures me you will pardon me, and think it but natural I should feel *anxious* in a matter of so much consequence to me and mine. A thousand thanks for the carp you were so good as to send me yesterday, and with my kindest wishes, be assured,

My dear Madam,

I remain most sincerely,

Your most obliged,

"Thursday, five o'clock." M. NOLEKEN."

"Mrs. Clarke,
18."

MR. PERCEVAL observed, that the letter of Mr. Elderton which had been read, and which was directed to the Duke of York, had no seal upon it, and appeared as if left for Mrs. Clarke's option, whether it should be sent as directed or not. It therefore was not to be supposed the Duke's, although found in her possession.

SIR THOMAS TURTON said, that Mrs. Clarke could be called in and asked about it.

MR. PERCEVAL replied that he had no objection.

MR. WARDLE, however, called in Thomas Walker, and proceeded to examine him.

Q. Did you live with Mrs. Clarke in Gloucester-place as coachman?

A. Yes.

Q. Do you recollect a footman there, of the name of Samual Carter?

A. Yes.

Q. Was Samuel Carter in the constant habit of waiting at dinner, while he was there?

A. Yes, he was.

Q. Do you know Miss Taylor?

A. Yes, I do.

Q. Have you frequently seen her in Gloucester-place?

A. Yes, I have.

Q. Do you recollect and know whether Sam. Carter was in the habit of going behind the carriage?

A. Yes, he did.

(*By* LORD FOLKSTONE.)

Q. Were you head coachman at Gloucester-place? A. I was.

Q. How many horses did Mrs. Clarke keep?

A. Sometimes six, sometimes eight.

Q. How many carriages? A. Two.

Q. Never more?

A. No more at one time.

Q. Do you know who provided the keep for the horses?

A. Mrs. Clarke.

Q. Did she pay the bills?

A. As far as I know, she did.

Q. Were they paid through you?

A. No, they were not.

(*By* MR. YORKE.)

Q. Did Samuel Carter wear a livery?

A. No, he did not.

Q. How do you know that Samuel Carter ever waited at table?

A. I waited at the same time.

Q. Did you ever wait at table when the Duke of York was there?

A. I did.

Q. Did you wear a livery when you waited at table?

A. I did not.

Q. When

Q. When Samuel Carter went behind the carriage, did he go behind the carriage without a livery?

A. Yes, he did.

Q. Had Mrs. Clarke any livery for any of her servants?

A. Yes, the footman.

Q. Did you wear a livery when you drove the carriage?

A. I certainly did.

(*By* Mr. Sumner.)

Q. Do you know with whom Sam. Carter lived before he came to Mrs. Clarke?

A. I understood he was along with Captain Sutton.

Q. Did you ever see him at Mrs. Clarke's when he was Captain Sutton's servant?

A. I did not.

Q. When you said he was along with Captain Sutton, did you mean that he was Captain Sutton's servant?

A. I did not.

Q. When he lived at Mrs. Clarke's, did he dine with the other servants?

A. He did, for any thing I knew.

Q. Did you dine with the other servants?

A. I did not.

Q. Were you upon board wages?

A. Yes, I was.

Q. Did you ever hear whose son Samuel Carter was supposed to be?

A. I never did.

Q. How many more servants did Mrs. Clarke keep?

A. Sometimes six, sometimes seven.

(*By* Mr. Wardle.)

Q. You have stated, that you waited at table; do you recollect Miss Taylor dining there when you waited at table?

A. I recollect when his Royal Highness and Mrs. Clarke dined together, there was another lady.

Q. Do you know who that other lady was?

A. I do not.

Q. Do you mean that you do not know or do not recollect?

A. I do not recollect.

Q. Do you know Miss Taylor?

A. I do now.

Q. You have stated before, that you knew Miss Taylor; are you certain that you ever saw Miss Taylor in Gloucester-place?

A. I am certain I have.

(*By* Sir John Sebright.)

Q. What did you understand Samuel Carter was to Captain Sutton?

A. I never heard what he was.

Q. You do not know that he was not a servant?

A. I do not.

Q. How long have you lived with Mrs. Clarke.

A. About three years.

Q. With whom do you live now?

A. With Mrs. Clarke.

[*The witness was directed to withdraw.*]

(*The witness was again called in, and examined by* Mr. Perceval.)

Q. When did you first live with Mrs. Clarke?

A. At the time that his Royal Highness came to Gloucester-place.

Q. Have you lived with her continually ever since?

A. I have not.

Q. When did you leave her?

A. After Mrs. Clarke left Gloucester-place.

Q. When did you return to her service?

A. About six weeks ago.

Q. You did not live with her at any time between her leaving Gloucester-place and six weeks ago?

A. A little while after she left Gloucester-place.

Q. Did Samuel Carter very frequently go behind the carriage?

A. Not more than once or twice.

Q. How long had Samuel Carter lived with Mrs Clarke?

A. I think about a twelvemonth, to the best of my knowledge.

[*The witness was directed to withdraw.*]

(*William*

1

s *M'Dowall was then called in, examined by* MR. WARDLE.)
id you live with Mrs. Clarke
nan in Gloucester-place?
s.
o you recollect the name of the
otman that was there at the
me?
is name was Carter; by the
cannot say any further.
id you and the other footman,
ame of Carter, do your work
·? A. Yes.
o you know Miss Taylor?
know a lady of the name of
aylor, but I cannot recollect
re are so many of the name; I
ay that I know any thing par-
I knew the lady that used to
to Weybridge of that name;
ll I can say.
o you recollect that Miss Tay-
in Gloucester-place as well
ybridge?
cannot say; I have known a
the name of Miss Taylor that
call there, but I cannot say
ould know her.
o you recollect the lady whom
k of as Miss Taylor, the lady
s at Weybridge, being at
er-place?
s I do by that name.
o you recollect Miss Taylor
ng at Weybridge when the
York was there?
nnot say, the Duke of York
e there; but I cannot speak to that, for the reason, because I do not know it.

Q. Were you in the habits of going to Weybridge with your mistress?

A. Yes.

Q. Did you ever see the Duke of York there?

A. Yes, I cannot say but I did.

Q. You also state, that you have seen Miss Taylor at Weybridge; can you recollect whether you ever saw Miss Taylor at Weybridge at the time the Duke of York was there.

A. I have told that before, that the Duke of York might be at Weybridge, for any thing that I know.

Q. Was Carter employed in any other manner, except waiting at the table?

A. Yes, he was employed as a servant; when I went into the House, he acted as a servant, as far as I know.

Q. Did he dine with the other servants? A. Yes.

Q. Did Carter act in the same capacity, as a servant, as yourself?

A. I suppose so; he did the work along with me; that is all I can say.

Q. Do you live now with Mrs. Clarke?

A. No, I do not.

Q. Are you in place now?

A. Yes, I am.

Q. With whom?

A. With Mr. Johnson.

Q. What year did you live with Samuel Carter at Mrs. Clarke's?

A. That I cannot recollect; I cannot say, justly.

ONEL VEREKER desired that the witness might withdraw.
observed that the witness was intoxicated—(*A cry of go on!*)
his opinion ought to be made an example of.

SUMNER said, that as intoxication of the witness had been
ed by Colonel Vereker, he ought either to be punished or
lence expunged. If it should appear to be the general wish
Committee that he should escape without censure, then he
certainly move that his evidence should be erased.

BATHURST said, witness had certainly been drinking—yet
d not be called drunk; he answered tolerably well; perhaps
as many who had escaped unnoticed. The hon. gentle-
ntended, therefore, that it was beneath the dignity of the
to take any further notice of it.—(*A cry of go on!*)

SUMNER said, that although it might be beneath the dig-
the House to *notice* this conduct, he should pursue the

course he had stated; he then moved, "That the evidence of William M'Dowall be expunged."

The question was then put from the Chair, amidst a general cry of "*go on, go on!*"

SIR T. TURTON expressed a desire to say a few words, as the question might be pressed, and the House be compelled to divide. He subscribed to the propriety of Mr. Sumner's remarks, yet conceived the witness might be excusable. In courts of law the evidence of a witness, although a little intoxicated, was attended to, and even a verdict given upon it by a jury.

MR. WM. SMITH spoke of the improper course the Committee were then pursuing. If the House would have to determine upon what was the proper state in which a witness should appear to give evidence, they would find themselves placed in a very awkward situation.

MR. PERCEVAL said, perhaps the witness might have been drunk when summoned. He would propose, to meet the ideas of all, that an entry should be made on the minutes, "That witness, being intoxicated, was ordered to withdraw."

MR. D. BROWN said, that if what the right hon. gentleman proposed were acceded to, and the witness sent from the bar, *in consequence of his being intoxicated by the motion of a member*—(*Here the hon. gentleman was interrupted by a general laugh.*) He then proceeded to say, that if the evidence were not expunged, the examination of the witness ought to be proceeded in.

MR. SUMNER coincided with the proposition of the Chancellor of the Exchequer, and consented to withdraw his motion.

MR. PERCEVAL then said, the witness must either be called again, or a note made in the minutes of what had passed.

COLONEL VEREKER said he could not help observing upon what had been said on the evidence of a drunken man in courts of law; for if a witness gave evidence when intoxicated, no judge in the country would listen to it. (*A cry of "go on! go on!"*)

MR. ELLISTON did not think it beneath the dignity of the House to punish this witness, and asked whether it was right that the Committee should be thus losing their time?

ADMIRAL HARVEY said he did not think witness was drunk.

MR. PERCEVAL—"Then he should not have been removed."

MR. DENIS BROWNE said, he was either drunk, or was not. If drunk, his evidence should be expunged; if not his examination should be continued.

MR. FULLER thought, that as there were so many contrary opinions, witness should be called again; and whether reeling drunk ought to be allowed fair play.

After a few more words from MR. BARHAM, MR. PERCEVAL, and MR. BATHURST, William M'Dowall was again called.

Q. What year did you live with Samuel Carter at Mrs. Clarke's?

A. I told you I could not recollect.

Q. Was it in the year 1808?

A. I cannot recollect; I cannot call it to my memory; I can guess very nigh it, though.

Q. What do you guess?

A. I cannot say justly; I can tell the year partly.

Q. What

'hat was the year?
told you before I did not re-
, and I cannot say the date, for
t remember it, and therefore it
use for me to say the date.
ou have said you know the year
state whether you can at all
t the year?
o, I cannot.
Was it four years ago?
s, rather more than that, I be-

Was it six years ago?
f I could recollect the date, I
ould have no occasion to say I
know it.
ou do not know whether it is
ears ago or six?
do not know indeed, I have
t before.
lid you wear a livery when you
ith Mrs. Clarke?
es.
lid Samuel Carter wear a livery
time?

A. No he did not wear a livery during my time.

Q. When did you quit Mrs. Clarke's service?

A. You ask me a question which I cannot answer, because I cannot recollect the time; I never took an account of the time I left the house.

Q. At what time did you get your summons to attend this House?

A. I did not set that down even, I forget that even; I know what day I got the notice to come.

Q. At what time did you get the notice to come here?

A. I cannot justly tell the hour.

Q. Was it to-day or yesterday?

A. I received the notice to attend the House, and I paid that respect to attend the House accordingly as I was ordered.

Q. When did you receive the notice?

A. I received it on Monday, and I received one this afternoon.

[*The witness was directed to withdraw.*]

LONEL VEREKER appealed to the Committee, whether he ot borne out in his first assertion, and desired his evidence be read, which was accordingly done. On this there was a l cry of "*go on*;" and Mrs. Martha Favery was called in, and ned by MR. WARDLE.

)id you live with Mrs. Clarke as eeper, in Gloucester-place?
es.
)o you recollect a footman there name of Sam. Carter? A. Yes.
Was Sam. Carter in the constant f waiting at table on the Duke ; and Mrs. Clarke and her com-
A. Yes.
)o you know Miss Taylor?
es.
Was Miss Taylor in the habits of often in Gloucester-place with larke and the Duke of York?
es.
Do you recollect any thing with to a note being changed, just the Duke went to Weymouth, rs. Clarke to Worthing?
es, I do.
State what you know about that? know that the Duke's servant n the morning, and I gave him this note, but I do not know the number of it, nor what note it was, and he returned again about eleven o'clock, and gave me the money; I took it up stairs, and then the Duke was in the bedroom, and Mrs. Clarke; in short they were in bed.

Q. Do you recollect who that servant was?

A. A German, Ludowick.

Q. Was Sam. Carter in the habits of sharing the duty of a footman with the other man?

A. He cleaned the knives, cleaned the plate, attended the carriage, and waited at table on his Royal Highness.

Q. Was not the house in Gloucester-place, to your knowledge, kept at a great expence?

A. It certainly was; there were sometimes two men cooks, sometimes three men cooks.

Q. Do you mean that those cooks were

on any particular occasion of dinners, or when do you mean that there were two or three men cooks?

A. When there was a particular dinner there were three men cooks, or sometimes more; Mrs. Clarke always wished to have her dinners got up in the best manner, to please his Royal Highness, and if there was any dinner found fault with by his Royal Highness, she would have another.

Q. Have you often known Mrs. Clarke distressed for money during that period?

A. She never could pay her debts properly after the first quarter; people were tearing me in pieces for money, and saying that I kept it.

Q. When did you first live with Mrs. Clarke?

A. When she went to Gloucester-place.

(By the ATTORNEY GENERAL.)

Q. Had you known Mrs. Clarke before that time? A. Yes.

Q. How long had you known Mrs. Clarke?

A. I lived with her before she went to Gloucester-place; I have known her these ten years; more than that.

Q. How much more?

A. I cannot exactly say how much more.

Q. Have you known her twenty years?

A. No, I have not known her twenty years.

Q. Where did you first know Mrs. Clarke?

A. I knew her at Hampstead; I went to be a servant to her there.

Q. Did you not know her before that time?

A. Yes, I went about six weeks after she was married, to live with her.

Q. After she was married to Mr. Clarke? A. Yes.

Q. Did you live with her from that time till she went to Gloucester-place?

A. No, I lived with her three or four times since; I went away and came back to her.

Q. Who first recommended you to Mrs. Clarke?

A. The paper.

Q. Do you mean by an advertisement? A. Yes.

Q. Did you know nothing of Mrs. Clarke till you saw that advertisement?

A. No, I did not.

Q. Did you live with her at Gloucester-place?

A. I went with her to Gloucester-place; from Tavistock-place to Gloucester-place?

Q. Then you lived in Tavistock-place? A. Yes, I did.

Q. Where did Mrs. Clarke live before she went to Tavistock-place?

A. I do not know, I did not live with her all the time.

Q. Do not you know where she lived all that time?

A. No, I was in the country with another family.

Q. With what family were you in the country?

A. I am not obliged to answer that.

Q. Yes you are.

A. It was a family who are dead.

Q. Who are they?

A. One Mr. Ellis.

Q. Where did he live?

A. In the City.

Q. What part of the City?

A. He was a carpenter.

Q. In what part of the City?

A. I really do not know the name of the street, I cannot recollect it, it is so long ago.

Q. How long did you live there?

A. Two years.

Q. If you lived two years in the same street, you must know where they lived?

A. It was not in the same house it was in lodgings.

Q. Where were the lodgings?

A. I cannot tell.

Q. In how many different places did they live while you were with them?

A. They had different apartments; they kept shop in one part of the town, and had apartments in another.

Q. What part of the town did they keep a shop?

A. I cannot recollect indeed; I

was

was at Brighton and Margate with them, and in different parts about.

Q. What other parts besides Margate and Brighton?

A. I was at Ramsgate, and many little places about, that I did not think about.

Q. Was it upon parties of pleasure the family went to Margate and Brighton and Ramsgate?

A. No, they were all ill, the mistress and children and all; they went for their health, I suppose.

Q. They went to these different places for their health?

A. I suppose so, I cannot say for what they went particularly; I do not know their concerns.

Q. Then why do you suppose they went for their health, if you know nothing about it?

A. I should think so, if they went to those places.

Q How many did the family consist of? A. Four.

Q. Mr. and Mrs. Ellis?

A. Yes, and two children.

Q. Any servant but yourself?

A. No.

Q. Who was left in the shop while they were absent?

A. I cannot say, I am sure I do not know.

Q. You say they kept a shop at one part of the town, and had lodgings in another?

A. Yes.

Q. In what part of the town was the shop?

A. I really do not know; I did not concern myself with the shop, I never went there.

Q. In what part of the town were the lodgings?

A. In some of the streets near Cheapside, but it is out of my memory entirely; when I leave a place, I never trouble it again.

Q. You have said that they lived in more places than one in London; what other place can you recollect besides the street near Cheapside?

A. I really cannot recollect any thing at all about it; I do not know any thing about it.

Q. In how many different lodgings did they live in London, while you were with them?

A. I cannot say; they left me till I went to Brighton; I went to Brighton with the children.

Q. Did they live in two, three, or four different lodgings?

A. I cannot answer that question indeed.

Q. Did you go to Brighton with the children without Mr. and Mrs. Ellis?

A. Yes, I did indeed.

Q. Did Mr. and Mrs. Ellis come to you there?

A. Yes, they did.

Q. How long did they stay there?

A. I believe we were there about three months.

Q. Where did you live at Brighton?

A. I will tell you as nigh as I can, opposite the sea; but I do not know the name of the street, though I was there.

Q. When did you go to Margate?

A. Really I cannot tell you such a question as that, I do not keep that in my head; I do not know.

Q. Where did they live at Margate?

A. In the High-street.

Q. Are Mr. and Mrs. Ellis dead?

A. Yes, so I heard.

Q. And the children?

A. I do not know, I never enquire after them.

Q. What reason had you for not chusing to mention this family?

A. I have no reason at all, I answer as nearly as I can recollect.

Q. Do you know Captain Sutton?

A. I did, but he is dead; he has been dead two years, I believe I can recollect that.

A. Was not Sam. Carter supposed to be his natural son?

A. I cannot tell.

Q. did you never suppose that?

A. No, I cannot tell what other persons supposed.

Q. Carter

Q. Carter did not wear a livery?
A. No.

Q. You have stated that there was a very expensive establishment in Gloucester-place; did his Royal Highness at any time give you money to defray the expences of that establishment?

A. He never gave me any in his life

Q. Did any body belonging to him?
A. No, nor any body belonging to him.

(*By* Col. Vaughan.)

Q. Where did Mrs. Clarke live when you lived with her first?

A. At Hampstead.

Q. Was that prior to your living with Mrs. Ellis? A. It was before.

Q. Then how comes it that you recollect the place you lived in with Mrs. Clarke, and do not recollect where you lived with Mrs Ellis afterwards?

A. Because I lived longer with Mrs. Clarke than I did with those people.

Q. Did you not live two years with Mrs. Ellis? A. Yes, I did.

Q. Do you mean that the Committee should understand that you do not recollect where you lived two years with Mrs. Ellis?

A. No, I do not; I was at Brighton, Margate, and Ramsgate, and other places; and I suppose they were like a great many pople, in debt, and went about in consequence, if I must tell the truth; but it is not the thing to tell family affairs.

Q. You have said Mrs. Ellis kept a shop in one part of the town, and lodgings in another; now you tell the Committee you were living about all the time; how do you reconcile that?

A. They may go about, his wife may, and he may keep out of the way, or stay at home; I cannot tell how they manage those things.

Q. Are you not related to Mrs. Clarke? A. No.

(*By* General Phipp's.)

Q. Do you mean to deny that you are Mrs. Clarke's sister?

A. I do? I am not Mrs. Clarke's sister.

(*By* Mr. Herbert.)

Q. Did you pay any of Mrs. Clarke's servants wages?

A. Yes, I did.

Q. What were the wages you paid to Sam. Carter?

A. I really cannot say what I gave him.

Q. Did you ever pay Sam. Carter any wages?

A. I have given him money a great many times, when he has asked for money to buy himself shoes and things he wanted.

Q. Do you recollect whether there was any agreement made for wages?

A. No, I do not.

Q. You have stated, that you were housekeeper to Mrs. Clarke, and superintended a very large establishment, and had two or three cooks at particular times; what number in general did you superintend, and have to provide for?

A. I am sure I cannot say; there were always very elegant dinners went up, and what they could not do, came from the pastry-cook's; there were four men in the stable, a butler and two footmen, two cooks, a laundry-maid, a house-maid, a kitchen-maid, and another little girl that worked at her needle, and myself, and a chairwoman to wash one day in the week.

Q. You have mentioned that there were very considerable embarrassments happened, and that you had been applied to for money, and have been supposed to keep it instead of paying the different creditors; did you tell her of those distresses, and apply to her for money; and if so, what answer did you get?

A. I did inform her; she said that His Royal Highness had been very backward in his payments to her, and I must put the people off, and accordingly I did as she said.

Q. Did Mrs. Clarke ever mention to you that His Royal Highness said that he would give or had given her sums of money, to pay those debts?

A. No,

A. No, I never heard that.

Q. Did you never mention to Mrs. Clarke, that you wished her to ask for money from the Duke of York, to pay those debts? A. Yes, I did.

Q. What was the answer Mrs. Clarke made?

A. She said all would be paid as soon as she had it from His Royal Highness.

Q. Were not many of those debts paid?

A. A great many were paid.

Q. You have stated, that you applied to Mrs. Clarke, telling her that she owed certain sums of money, to get it from the Duke of York; do you know from your own knowledge that many of those debts were afterwards paid?

A. Some of the debts were paid while he was there; I have paid the baker, and I have paid the butcher twice.

Q. Then upon your application, desiring Mrs. Clarke would apply to the Duke of York, have you often found debts paid.

A. Yes, I have found many of the debts paid.

(By Mr. Wardle.)

Q. Did you know Captain Sutton, by sight? A. Yes.

Q. Had Captain Sutton only one leg?

A. Only one leg.

Q. Do you know what regiment he was of?

A. No, I do not, I am sure.

Q. Do you still live in the service of Mrs. Clarke? A. Yes.

Q. Have you had any conversation with Mrs. Clarke on the subject of this investigation, since it commenced? A. No, I have not.

(By Mr. Beresford.)

Q. You have said, that you paid the servants wages while you lived with Mrs. Clarke; how many menservants did you pay wages to?

A. The coachman, his name is Parker, and William M'Dowall; I believe she paid Peirson herself; and the stable-man and the boy, four men in the stable, I always used to give the money once a week, or once a fortnight, to them; there were in all, five in the stable, and three in the house.

Q. Were they all servants on standing annual wages?

A. Yes, they were all yearly servants; and there were two servants at Weybridge, a gardener and a cook.

(By Sir James Graham.)

Q. You have stated, that there were sometimes two and sometimes three men cooks for particular dinners; do you mean by those particular dinners, that they were dressed for a large company?

A. No, we never had a large company; this was first when Mrs. Clarke went into that house.

Q. Those dinners were dressed merely for two or three persons?

A. Yes for His Royal Highness, as far as I know in particular.

Q. Not for any other company?

A. No.

(By Mr. Wilberforce.)

Q. You went with Mrs. Clarke when she first went to reside in Gloucester-place? A. Yes, I did.

Q. Do you know who the tradesmen were who furnished the house in Gloucester-place? A. No.

Q. Who furnished the upholstery?

A. It was somebody in Bond-street; Oakley.

Q. Do you know who furnished the china and glass?

A. Mr. Mortlock, in Oxford-street.

Q. Do you know who furnished the house with grates?

A. Mr. Summers, and Rose, in Bond-street.

Q. Do you know what silversmith furnished the plate? A. Birketts.

Q. Do you know any of the other tradesmen with whom Mrs. Clarke dealt?

A. Parker's, in Fleet-street, she had something to do with.

Q. Who was the wine-merchant?

A. I really do not know; I believe His Royal Highness used to send it

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but I do not know; he used often to send it, I know.

Q. Did you ever pay any money on account of wages to any one of those men cooks?

A. Yes, I gave them a guinea a day each of them, but I cannot recollect their names.

Q. Did you consider that as payment for that day, or as in any part of annual wages?

A. Only for the day.

Q. Were you in the capacity of own maid to Mrs. Clarke, or was there any other?

A. I was own maid and housekeeper together.

Q. Do you know Mr. Dowler?

A. I have seen him.

Q. Have you seen him frequently?

A. Yes, I have seen him frequently.

Q. Have you seen him frequently in Gloucester-place? A. Yes, I have.

Q. Do you know or not, whether he staid the night there?

A. Never, I am very sure of that.

Q. Did you at any time convey any messages to the tradesmen employed to furnish the house in Gloucester-place?

A. Yes, for any thing that was wanted.

Q. Concerning the manner in which it was to be done, and what articles were to be sent in

A. Yes, Mrs. Clarke's order.

Q. Did the tradesmen seem willing to send in articles merely on Mrs. Clarke's authority?

A. They sent what she ordered, as far as I know; sometimes they would not.

Q. Did you use any arguments to them to induce them to send in articles, if they appeared unwilling so to do?

A. No, I did not; I said when she had money she would certainly pay them, nothing further than that.

Q. Did they tell you that they looked to a better paymaster than Mrs. Clarke, or any thing of that kind?

A. They have asked me, whether His Royal Highness had settled with her, and given her money; and I said no, as soon as she had it, she would give it to them.

Q. Was Captain Sutton in the habit of visiting at Mrs. Clarke's?

A. Yes, she knew Captain Sutton.

Q. Was he in the habit of visiting at Mrs. Clarke's? A. Yes.

Q. Was he in the habit of visiting at Mrs. Clarke's before Sam. Carter came to live at Mrs. Clarke's house?

A. Yes, he was.

Q. When he came to visit Mrs. Clarke, was he not in the habit of bringing Sam. Carter as a companion?

A. I do not know; he brought him with him, certainly.

Q. When Sam. Carter came with Captain Sutton, was he in the habit of going with him into the parlour?

A. No.

Q. When Mrs. Clarke first resided in Gloucester-place, what number of servants had she at that time?

A. Sam. Carter was the first that went there when I went; there was a coachman and two footmen, and a butler and a postillion; there were four men in the stable; she had them immediately as she got there.

(*By* SIR GEORGE WARRENDER.)

Q. Did you ever see Samuel Carter after he got a commission in the army?

A. No, I do not think I ever did.

Q. Do you recollect whether Samuel Carter got a commission in the army while he was in Mrs. Clarke's service?

A. Yes, and went to Deal to join his regiment.

Q. He left Mrs. Clarke's service for that reason? A. Yes.

Q. And you never saw him afterwards? A. No.

(*By the* ATTORNEY GENERAL.)

Q. What was your name before you were married?

A. Favery, that is my real name.

Q. Are you a married woman?

A. No.

Q. Did you ever hear Mrs. Clarke say

say why she applied for a commission for Sam. Carter, more than for any other footboy in her service?

A. No.

(*By another* MEMBER.)

Q. By what name was Sam. Carter known to His Royal Highness, by the name of Sam. Samuel, or Carter?

A. We used to call him Sam.

Q. Was he known by the name of Carter to His Royal Highness?

A. Yes, he was known by the name of Carter.

Q. Did Samuel Carter appear to you a person of superior manners and education to persons in that situation?

A. I do not know; he was very well.

Q. Did any of the servants dine with you in general at the same table, when you lived with Mrs. Clarke in Gloucester place?

A. Yes, I sat down to dinner with them all.

(*By* MR. WILBERFORCE.)

Q. Can you mention any body else who was in the habit of going to the tradesmen about the articles to be furnished to the house in Gloucester-place?

A. I never went, I sent a servant always, and William M'Dowall has been to Oakley's in Bond-street, and to Rose and Summer's, and to different tradesmen.

Q. Do you know any body else who went?

A. Peirson used to go?

Q. You did not know any agent or steward, or any person of that description, who used to go. A. No.

Q. Do you know whether a person of the name of Taylor used to go?

A. I am not sure whether he went; he might be sent by Mrs. Clarke, he was not by me.

Q. Do you know any thing of his going? A. No, I do not.

(*By* SIR R. WILLIAMS.)

Q. When you lived in Gloucester-place, was Mrs. Clarke in the habits of receiving visits from other gentlemen besides His Royal Highness the Duke of York?

A. Yes, several people came.

Q. Gentlemen?

A. Yes, gentlemen came backwards and forwards.

Q. Did you ever know that any of those gentlemen were considered as opulent?

A. I really do not know.

Q. You have stated that you were in the habit of dining with all the servants; of course the coachman was one of that number?

A. Yes, he was.

Q. Do you remember a Captain Wallis visiting there?

A. No, I never remember such a name.

[*The witness was directed to withdraw.*]

[MR. WARDLE stated that he wished to ask Mr. Greenwood some questions, but as he was not present, he was desirous of interrogating Mrs. Clarke. Before she was called in, however one of the members put the following question to Mr. Wardle.]

Q. In folio 132 of the printed minutes of the evidence, there appears a letter written by Mrs. Clarke to Mr. Donovan, in which is the following expression, the date of the letter is January 28th, 1809: "I must be candid, and tell you that in order to facilitate some negociations, I had given him a few of your letters: in one you speak of the Queen, in another the two Deaneries." Did Mrs. Clarke give you any letters in order to facilitate any negociation?

A. I never had any negociation with Mrs. Clarke about letters in my life; I do not know what she means by the expression of a negociation.

(*By* SIR M. B. FOULKES.)

Q. Are these the letters which she stated you had taken away from her?

A. I took some of Mr. Donovan's letters in the way I have before described, which I have produced to this House; but what she means by negociation I do not know.

Q. Had you any other letters of Mr. Donovan's from Mrs. Clarke, or are those the very letters which she so positively stated you had taken away from her?

A. I had some other letters from Mrs. Clarke of Mr. Donovan's, which she gave me, and I examined him as to those letters in this House.

(*By* MR. PERCEVAL.)

Q. For what purpose did Mrs. Clarke give you those letters?

A. I really do not know for what purpose she gave them to me; I asked her to give them me, and I examined him upon them in this House.

Q. Have you never asked Mrs. Clarke what she meant by that expression in her letter?

A. No, I do not think I did; but I never did have any answer to it, if I had; I remember the expression striking me when I heard it read.

(*By* MR. SPENCER STANHOPE.)

Q. When Mrs. Clarke delivered these letters to you, did she mention any thing about any negociation as affecting one or more Deaneries?

A. I never heard of any negociation about any Deanery, except what these letters contained.

(MRS. CLARKE *was then called in, and a letter from Mr. Elderton to His Royal Highness the Duke of York being then shewn to her, she was examined, by* SIR THOMAS TURTON.)

Q. Do you recollect that that was one of the letters that you delivered to Mr. Nicholls, to be burned?

A. Yes, they were all delivered to be burned.

Q. Do you recollect that was one of them?

A. I cannot recollect that that was one of them; except what I burned myself, I gave the rest down to be burned, and they positively assured me they were burned.

Q. Do you remember how that letter came into your possession?

A. I suppose I may be allowed to read it before I give my opinion.

[*The witness read the letter.*]

Q. To whom is that letter addressed?

A. It is addressed to His Royal Highness the Duke of York.

Q. How came that letter into your possession?

A. I had it to shew the Duke of York, I suppose, as I had many other letters; and, after he read it, it was left in my possession. This man was arrested after he had his appointment, and I had solicited for leave for him.

Q. Then I understand you to say, that that letter was addressed to you; by whom was it addressed to you?

A. By Mr. Elderton, or else his wife; by Mr. Elderton, addressed to me, to deliver to the Duke.

Q. Then I understand you to say, that the letter was inclosed to you in another by Mr. Elderton; is that so? A. Yes.

Q. And that in consequence of your receiving it, you delivered it to His Royal Highness the Duke of York?

A. I am positive that I shewed it to him, to let him know that the man was grateful.

Q. Did the Duke of York return it to you?

A. After he had read letters, they used to be left upon the table, and I ought to have destroyed them.

Q. Did not you understand that Sam. Carter was a natural son of Captain Sutton?

A. No, I did not; people have said so, but he told me to the contrary himself.

Q. Did not Captain Sutton take care of his education?

A. Captain Sutton always had the boy about him; he had several,

and

is one; he had been recommended, I be- Fitzherbert, but they one time.
ptain Sutton educate

not well educated till me; he used to go to he was in my service, our.
you know that Cap- ook care of his educa-

r that he took some uct him in his leisure very good boy.
know what regiment u was in?
erly was a Lieutenant iers; I believe he was here he lost his leg.
e not certain what re- in?
was Deputy Fire-mas- ich, and had been an nd of the Prince of f the Duke of York for but nearly died for through me.
consider Samuel Car- above the rest of your

did, for he was very

year did Mr. Elder- Paymastership of the at you spoke of?
t tell, but it was be- Simcoe died.
lo not remember the

lo not.
your residence in Glou- did you ever make any Income Tax?
believe I did not.
you ever assessed either ses, carriages, or men

was.
you recollect the num-

l to forget the greater em when they were put

down, conceiving they had been paid for before through the Duke, or otherwise.

Q. Look at that letter: [the letter to Mr. Donovan, of the 28th of January] that letter speaks of delivering some letters to Mr. Wardle, in order to facilitate some negociation?

A. I sent that letter to Mr. Donovan.

Q. Did you give these letters to Mr. Wardle, in order to facilitate any negociation?

A. Yes, not the letters that Colonel Wardle ran away with, but letters of field officers to recommend two or three lieutenants to companies, they were to give more than the regulation, three or four hundred pounds; I understood from Mr. Donovan that Greenwood was to have some part, Froome another, himself a share, and me; these young men were to pay, I think, four hundred guineas over the regulation, and that it was the last job Greenwood was to give Froome, that it was to complete a very old promise of the Duke of York; Mr. Donovan told me he must have the recommendation of a Member of Parliament or a general officer, to cover himself.

Q. If you refer to a passage in your letter, it will appear that the letters you allude to were, one in which Mr. Donovan speaks of the Queen, and in the other of two Deaneries?

A. Those were the letters Colonel Wardle took away, and which I told him were in his possession; that letter I think mentions as far as that.

[*The passage in the letter was read.*]

I had not given him those letters, he took them, and what I gave Colonel Wardle to facilitate was the other three, the lieutenants for the companies, and he has two or three of them now, and General Clavering

ing the other; and when I represented one of the young men as Mr. Sumner's nephew or cousin, I believed it, because Mr. Donovan had told me so, and declared it in every way possible.

Q. How could the delivery of any letters whatever to Mr. Wardle, facilitate any negociation?

A. I thought that they might, because he told me that he could do it by men that were not in the opposition, because I knew that a man on that side would not do to recommend to the Duke of York any military man.

Q. Who told you so?

A. Colonel Wardle.

Q. What sort of negociations did you think the delivery of these letters might facilitate?

A. To get a letter of recommendation for the young men, the same sort of recommendation as General Clavering was to give me for Sumner.

Q. You have stated, that the Paymastership procured for Elderton was previous to the death of General Simcoe; what circumstance makes you say it must have been previous to the death of General Simcoe?

A. I believe it was General Simcoe's regiment, I know he had been applied to on the subject.

Q. Are you quite positive that these letters spoken of, are the letters Mr. Wardle ran away with?

A. Yes.

Q. Did the Duke of York ever tell you at any time, that he had been informed by any person of your having received money by getting appointments in the army?

A. No, no one dare tell him so.

Q. Did the Duke of York ever inform you by what means the commissions you state to have been so irregularly obtained, were made to appear regular in the books of the office?

A. No, he did not state to me that circumstance, only that he would take proper care and have them all right, and the subjects he always thought were proper when they were proposed.

(The witness was ordered to withdraw, on which MR. WARDLE *rose and made the following statement:)*

I wish to say, that I am now aware what Mrs. Clarke means by her negociation: the letters that I before alluded to her having received from Mr. Donovan, and my having examined him upon them in this House, were sent to her by Mr. Donovan, as I understood, for the purpose of her getting them signed by a general officer, or a Member of Parliament; she stated having sent one of them to General Clavering to be signed; the other three or four, I forget which it was, I got from her, she gave them to me; I remember her stating at the time, that if I could get a Member of Parliament to sign them for her, it would be just what Mr. Donovan wanted; I said my friends were in opposition, and opposition men would not do; I kept the letters ever since, and till this moment never could make out what she meant by the term negociation.

(By MR. BERESFORD.)

Q. Have you any objection to deliver in those letters, from which you examined Mr. Donovan at the table of this House?

A. They are all on the table of the House.

Q. Are those letters on the table of the House which Mrs. Clarke wished you to get a Member of Parliament to sign?

A. No, I think not.

Q. Are there any letters on the table of the House which Mrs. Clarke gave to you, to procure the signature of a Member of Parliament?

A. I thought they had been given in, but if they are not, I certainly will lay them on the table.

Q. Have

Q. Have you any objection to lay on the table every letter which you got, either by violence or otherwise, from Mrs. Clarke?

A. I have no objection to lay upon the table the letters in question respecting those officers who were to have been so recommended, and all the letters that I had regard to in the statement I made to the House.

Sir George Hill objected to the honourable member holding conversation with a noble Lord near him, at a time when he was giving his evidence.

Mr. Whitbread insisted that every member had a right to do so.

Mr. Windham said, that as the honourable member was going to speak not to a matter of fact, but to give an opinion on the course he would pursue, as to the production of certain papers, he was justified in speaking to those around him, and asking their advice.

Sir G. Hill explained.

Lord Folkstone said, he thought the examination was over, and spoke to him upon quite another matter. (*Hear! hear!*)

Mr. Perceval thought the House should not go into that general question; but if they were to debate it, he could not see why a Member of Parliament, examined as a witness, should have any privilege distinct from a witness without a seat in the House.

Mr. Windham said, that as the honourable member was only about to give an opinion as to the manner in which he would regulate his production of the letters, all that had been said by the right honourable gentleman with respect to testimony did not apply. (*Hear! hear!*)

Mr. Canning understood that the honourable gentleman on the floor (Mr. Whitbread) appeared to him to maintain, that, even as a witness, a member had a right to consult with those around him. (*A cry of no! no!*)

Mr. Whitbread stated, he had said that a Member of Parliament had a right to communicate with whom he pleased, but not on the subject of an answer, when examined as a witness—(*Hear! hear!*)—He thought that the observation of the honourable baronet cast an imputation upon his friend, for proceeding in a course not only unbecoming a Member of Parliament, but unbecoming a man.

Mr. Canning understood that the honourable gentleman had drawn a distinction between an ordinary witness and a Member of Parliament. (*Cry of no! no!*)

Mr. Whitbread denied that he had ever said so; from first to last he had said, and would still say, that his honourable friend had a right to communicate with those around him.

Mr. Beresford wished the last question to be read, which was done, and Mr. Wardle desired his last answer to be read also.

Q. Have you any objection to lay any other letters you have received from

from Mrs. Clarke, before the House, besides those which apply to the case? *(Cry of no! no!)*

Q. Have you any other letters? *(Cry of no! no! no!)* I do not wish to hurt the feelings of the honourable gentleman, and therefore will only require such letters as apply to the case?

A. No letters shall be withheld from the House that may be necessary to assist this investigation; from the first moment to the present I have not attempted to withhold any thing; my conduct, I think, does not justify the attack that has been made upon me.

Mr. Beresford said, that he meant no attack upon the honourable member.

Mr. Wardle did not accuse him of attacking him; he alluded to an honourable baronet on the floor, who had attacked him in a manner that he felt severely.

Sir G. Hill rose amidst a cry of *Order! order!* and was obliged to sit down.

Q. Are the letters alluded to in the letter of Mrs. Clarke, at present on the table of the House?

A. No, they are not.

Sir George then rose, and said, that he had no disposition to attack the honourable member who had the conducting of so weighty a charge; he acted as he did, because he thought it his duty.

(By Mr. Lockhart.)

Q. When did you receive the letters from Mrs. Clarke, which she mentions, in her letter of the 28th of January, to have been delivered to you?

A. I have no memorandum, I cannot speak to the time.

(Charles Greenwood, Esquire, *was then called to the bar, and examined by* Mr. Wardle.)

Q. Is Mr. Froome now in your office? A. No.

Q. Did not Mr. Froome succeed to the situation of one of your clerks that has lately left you? A. No.

Q. Did not Mr. Froome come to town for the purpose of supplying the place of that clerk?

A. Mr. Froome came to town to settle some old accounts of mine as treasurer to the Royal Military College, and not at all to take the place of that clerk.

Q. Has he settled those accounts, and if so when did he leave you?

A. He is settling them now.

Q. Where does he transact the business?

A. Very near my office at Charing-Cross.

(By General Loftus.)

Q. Are you agent to the 22d regiment of Dragoons?

A. No.

Q. Or ever was since it was raised?

A. I think not; but I cannot positively answer to that fact.

Q. Do you recollect any difference between you and the Duke of York, wherein the Duke of York applied to you to appoint a paymaster to that regiment?

A. Certainly not.

Q. Is it within your power or that of any agent to appoint a paymaster to any regiment?

A. The power rests in the Colonel

to

to recommend to the Secretary at War, who makes the necessary inquiries as to the securities, and then makes out the appointment for the Commander in Chief to lay before His Majesty.

Q. In fact the Commander in Chief can have nothing in the world to do with it, more than to lay it before His Majesty?

A. I never understood that he had.

(*By* Lord Folkstone.)

Q. Do you know Mrs. Clarke?

A. I do not know her by sight.

Q. Did you ever write to her?

A. I recollect one note I did write to her.

Q. Do you know a Mr. Elderton?

A. I did know him.

Q. No disagreement ever happened between you and the Duke of York, respecting appointing Mr. Elderton a paymaster?

A. No, certainly not.

Q. Did the Duke of York ever apply to you to appoint him?

A. Never; the Duke of York mentioned him to me as a man that would call upon me about a paymastership, and said that I might make inquiries about him, but never recommended him.

(*By* Mr. Wardle.)

Q. What was the occasion of that note which you mention having written to Mrs. Clarke?

A. It was in answer to a note she wrote to me, to desire my interference with His Royal Highness about a brother, I think he was, of hers; she called him Captain Thompson, that had been in the cavalry.

Q. Do you recollect the date of that note?

A. It was not long ago; I do not recollect the date at all; I should think within a month or six weeks.

Q. Do you recollect, either in that note or by message, stating to Mrs. Clarke, that you were sorry she had got acquainted with Mr. Finnerty? A. Never.

Q. Did you ever send any message to Mrs. Clarke by Mr. Taylor of Bond-street? A. Never.

Q. How long was Mr. Froome in your office before the first time he and you parted?

A. I really cannot recollect; but he has left my office for, I should suppose, four or five years, I cannot recollect particularly, it was at the time I discovered he was trading in commissions that I discharged him.

Q. Is not Mr. Froome on the half-pay?

A. I believe he is.

Q. Is he a captain on the half pay?

A. No, I think only a lieutenant.

Q. How did you send that note which you wrote to Mrs. Clarke?

A. I sent it by Mr. Taylor, I think.

Q. Mr. Taylor the shoemaker?

A. Yes.

(*By* Lord Folkstone.)

Q. Are you acquainted with Mrs Sinclair Sutherland?

A. I knew her some years ago.

Q. How many years ago?

A. I should think six or seven years ago; I have seen her since.

Q. Have you seen her often since?

A. No.

Q. Have you seen her lately?

A. No.

Q. How lately have you seen her?

A. I do not think I have seen Mrs. Sinclair these two years.

Q. On what occasion did you last see her?

A. Mine was a visit of civility, I believe, I had no particular object in it.

Q. Did you call upon her?

A. Yes.

Q. Have you kept up your acquaintance with her from the first origin of this acquaintance?

A. I

A. I have very little acquaintance with Mrs. Sinclair; I do not suppose I ever saw Mrs. Sinclair a dozen times in my life.

Q. What led to that acquaintance?

A. I believe that the first acquaintance I had with Mrs. Sinclair, was from hearing a friend of mine speak of her.

Q. Did you become acquainted with her through any intimacy between the Duke of York and her?

A. I certainly was acquainted with her more from that circumstance.

Q. Then you are aware she was intimate with the Duke of York?

A. I am aware that the Duke of York knew her; I am not at all aware that the Duke of York was intimate with her.

Q What was the general character of Mrs. Sinclair Sutherland?

On the suggestion of MR. PERCEVAL, the witness was ordered to withdraw

MR. PERCEVAL then observed, that he conceived there was an impropriety in asking the question. The lady had not been examined before the House, and it would be unfair to take the opinion of a witness as to the character of a person who never had been in the situation of having her testimony impeached.

A conversation then took place between Lord Folkstone, Mr. Bastard, Mr. Beresford, Mr. C. W. Wynne, Sir Arthur Wellesley, and Mr. Windham, which terminated by Lord Folkstone withdrawing the question.

The witness was again called in, and LORD FOLKSTONE proceeded in his examination.

Q. Do you know of any connection ever subsisting between the Duke of York and Mrs. Sutherland?

A. I have heard that there was.

Q. Has any fact ever come to your knowledge which enables you to state, of your own knowledge, that such a connection ever had existed?

A. I have heard Mrs. Sinclair herself say so.

Q. Did you ever hear Mrs. Sinclair state that she was with child by the Duke of York?

A. Yes.

[*The witness was directed to withdraw.*

The ATTORNEY GENERAL expressed his opinion that it was too unlike legal evidence for the House to allow such a question to be put.

The witness was again called in.

Q. Did you ever know of a house being hired at Hamburgh for Mrs. Sutherland to lie in? A. No.

Q. Do you know of any measures that were taken to hire a house for that purpose? A. No.

(*By* MR. WARDLE.)

Q. Can you to your own knowledge speak to Mrs. Sinclair having got a troop from the Duke of York, for a friend of hers?

A. Certainly not.

Q. Did

Q. Did you ever correspond with her on the subject of a troop that she had applied for?

A. No, I think not, it is so long since; to the best of my knowledge not.

Q Can you speak positively to that fact?

A. I can speak positively to never having had any conversation with the Duke of York.

Q Do you recollect writing to Mrs. Sinclair upon any military matters?

A. I recollect she wrote to me relative to a son of the late General Debbidge, upon the subject of promotion, which I did not apply for; and I think she wrote to me about obtaining leave of absence for him, which, being in the natural course of my business, I think I did obtain for her; but I cannot speak with certainty.

Q. State whether of your own knowledge Mrs. Sinclair was given to understand that that officer was promoted through her application?

A. Certainly not.

Q. You have stated, that you sent a note to Mrs. Clarke by Mr. Taylor; who is Mr. Taylor?

A. A shoemaker, in Bond-street.

Q. How happened it that you employed such a messenger?

A. She sent him to me.

Q. Had you ever any other communication with Mr. Taylor?

A. I have seen Mr. Taylor several times on other business.

Q. Is Mr. Taylor your shoemaker?

A. No.

Q. Have you ever had any correspondence by letter with Mr. Taylor?

A. No.

(By Sir John Sebright.)

Q. You have stated in the early part of your examination, that the Commander in Chief told you that Mr. Elderton would probably call respecting a Paymastership, and requested you to make inquiries: did you make any inquiries? A. Yes.

Q. What was the result of those inquiries, and was he appointed to the Paymastership?

A. The result of those inquiries was, that I put him down in my list as a candidate for a Paymastership?

Q Was he appointed to a Paymastership?

A. Upon a vacancy happening in Sir Robert Abercrombie's regiment, thinking him a very proper man for the appointment, I wrote to Sir Robert Abercrombie about him, and he recommended him to the Secretary at War. May I beg leave to correct an answer I have just given, respecting my correspondence with Mr Taylor; there were two or three questions I thought it necessary to put to him; knowing he had paid some money on the Duke of York's account for Mrs. Clarke, I put three questions to him, which he answered satisfactorily: if that is to be called a correspondence, I have had correspondence with him.

Q. Do you know of any large sum of money being paid by His Royal Highness the Duke of York to Mrs. Clarke, during her residence in Gloucester-place?

A. No large sums ever went through my hands to Mrs. Clarke, nor any sum whatever.

Q. You admit that you have had some correspondence with Mr. Taylor, when did that correspondence take place? A. A few years ago.

Q. You do not recollect at any other time having had any correspondence with Mr. Taylor?

A. No, certainly not.

Q. Did you send an answer to Mrs. Clarke by Mr. Taylor, in consequence of the letter having been brought by him? A. Certainly.

Q. You stated that you recommended Mr. Elderton to Sir Robert Abercrombie for Paymaster; had you any knowledge of Mr. Elderton previous to the Duke of York's mentioning him to you?

A. I believe he had applied to my office for a clerkship, but I am not quite clear as to that point; I made several inquiries in consequence of

His Royal Highness's recommendation.

(By Sir Arthur Wellesley.)

Q. Were the inquiries which you made satisfactory?

A. They were satisfactory in the first instance, but sometime afterwards, on further inquiry, I was by no means satisfied, and I wrote to Sir Robert Abercrombie to that effect.

Q. What inquiries did you make that caused dissatisfaction?

A. I made some inquiries, besides a representation I had from Bristol, where Mr. Elderton had lived, of some improper conduct there.

Q. What was the consequence of these discoveries you made respecting Mr. Elderton?

A. Representing the same to Sir Robert Abercrombie, in order to stop the recommendation.

Q. What was the effect of that communication?

A. It was delayed for a time; afterwards, to the best of my recollection, Mr. Elderton wrote himself, or got some friend to apply to Sir Robert Abercrombie, and Sir Robert Abercrombie afterwards recommended him to the Secretary at War.

Q. Do you know what those recommendations were, or from whom they came?

A. I really do not.

Q. Were the objections removed solely by the recommendation of Sir Robert Abercrombie?

A. I believe entirely.

Q. After those objections had been made, did any conversation take place between His Royal Highness the Duke of York and yourself upon the subject? A. Certainly none.

Q. How do you know that any subsequent recommendation was made to Sir Robert Abercrombie?

A. I think I have letters from Sir Robert Abercrombie to prove that.

The witness was directed to withdraw.]

(Colonel Gordon *was called in, and examined by* Lord Folkstone.)

Q. Have you brought with you the documents respecting the proposed exchange between Colonel Knight and Colonel Pleydell?

A. Yes, I have them in my hand.

[Colonel Gordon delivered in several papers, which were read:—Letter from Messrs. Collier.—Answer to the above.—Letter from Colonel Knight, dated June 19th 1805.—Letter from Colonel Gordon to Colonel Knight.]

"*C. L.*"

"*Refused.*" "*The Com. in Chief cannot accede to the request of these Officers. Lt. Col. Pleydell must remain in the Regiment to which he has been posted.*"

"Messrs. Collyer have the honour of transmitting Colonel Gordon the Memorials of Majors Knight and Pleydell to exchange."

"Park-place, St. James's,
27th May, 1805."

(Copy.) "Horse-Guards,
"Gentlemen, 28th May 1805.

"Having laid before the Commander in Chief your note of the 27th instant, I am directed to acquaint you in reply, that His Royal

Royal Highness cannot accede to the exchange therein proposed, between Major Knight of the 5 Drag^{n} Guards and B^{t} Lt Colonel Pleydell of the 59th Reg^{t} of Foot; and Lieu^{t} Colonel Pleydell must remain with the corps to which he has been posted.

I am Sir,

(Signed) J. W. GORDON."

"The Inclosures in your Letter are herewith returned."

"Messrs Collyer."

"H. R. H. has no objection to his receiving a difference, and when an eligible successor can be recommended, H. R. H. will take it into consideration."

"N° 35, Maddox St Hanover-sq^{re}

"Sir, June 19, 1805.

"His Royal Highness the Commander in Chief not having acceded to my exchanging with Lt Col. Pleydell, I fear my motives for wishing to return to the Infantry may have been misrepresented to His Royal Highness.

"I therefore take the liberty of stating them to you and request the favour of you to submit them to the consideration of His Royal Highness.

"I am desirous of returning to the Infantry, with a view to receive back the difference, to enable me to arrange some pecuniary concerns which press upon me at this moment; and in case His Royal Highness sho^{d} be graciously pleased to acquiesce, I intend to solicit the further indulgence of a temporary retirement upon half-pay for the recovery of my health, which is much impaired by a service of 20 years in the West Indies, in Holland, in Egypt, and elsewhere; and as I do not mean to solicit H. R. H^{s} permission to receive the difference between full and half-pay, I flatter myself H. R. H. when my health is re-established, will consider my past services, and allow me to return to a service, which I never can quit for a moment without the deepest regret.

"And in case H. R. H. sho^{d} have no person in view to succeed me in the 5th Dragoon Guards, I humbly beg leave to submit the name of Brevet Lt Colonel Brook of the 56th Reg^{t} (an old Cavalry Officer) who has written to me on the subject,

"I have the honour to subscribe myself,

Sir,

Your ob^{t} humble serv^{t}

H. R. KNIGHT."

"To Col. Gordon, &c. &c. &c."

"Major 5th Dragoon G^{ds} & B^{t} Lt Colonel."

"Sir, "Horse-Guards, 21st June 1805."

"Having laid before the Commander in Chief your Letter of the 19th instant, I am directed to acquaint you, that His Royal Highness has no objection to your exchanging to the Infantry, receiving

the difference; and when an eligible successor can be recommended, your request will be taken into consideration.

I have, &c.

(Signed) J. W. GORDON."

"Bt Lieut Col. Knight,
5 D. Gds,
35, Maddox-street,
Hanover-square."

Q. Are you acquainted with Major Turner?

A. I was acquainted with him.

Q. What was the period of your acquaintance with him?

A. I think it was in the year 1803.

Q. When was the last time that you saw him previous to his tendering his resignation?

A. I cannot recollect the precise day, but it was a very short time before he gave it in, he called upon me, and stated his intention of so doing.

Q. Did he solicit any other situation?

A. No, I cannot recollect that he did.

Q. Did he request to be put upon the Staff of the army serving in Spain?

A. I do not recollect that he did; it is very possible that he might, but I do not recollect that he did.

Q. Did he state to you the reason for which he intended to resign?

A. Yes, he certainly did.

Q. What were those reasons?

A. Major Turner called upon me, and told me it was his intention to give in his resignation, and retire from the army; I expressed some surprise at this, having had some previous acquaintance with him, and told him, I think, that he had better consider of it before he took so decided a step. I think Major Turner told me, he had got into some unfortunate scrape with a woman, and it was necessary for him to quit the service; the exact words I do not recollect, but that was the tenor of the conversation that passed between us. There was very little more or less.

Q. Did he state the nature of the scrape?

A. No, he certainly did not; but I have some recollection, that he was about to do it, and that I stopped him, as my custom is, not wishing to enter into the private affairs of officers more than is necessary.

Q. Did he state the name of the lady?

A. I am pretty confident he did not.

Q. When the application was made for the exchange between Colonel Knight and Colonel Pleydell, were the usual enquiries made, and were they acted upon?

A. This is rather an embarrassing question. I should answer it in this way; that the Commander in Chief did not think Colonel Pleydell a proper officer to be placed at the head of a regiment of Cavalry.

(By the ATTORNEY GENERAL.)

Q. Is it your belief, that, upon a complaint made from any quarter against any officer who was soliciting either for exchange or resignation, that complaint being, that the officer had behaved dishonourably by a lady, that would lead to an inquiry on the part of the Commander in Chief?

A. That would depend very much upon the mode in which the complaint was made; the complaint in question stated, that the General knew all about it; inquiry was therefore made of the General, before any decision was given upon it.

Q. Did it ever come within your knowledge that any resignation had been stopped, or any proceeding taken at the Commander in Chief's office, in consequence of an anonymous letter?

A. I cannot exactly say that a resignation had been stopped; but this I can say, that all anonymous letters are invariably attended to.

Q. Is it not the invariable practice of the Commander in Chief to forward all anonymous letters, conveying complaints

complaints or any circumstances attached to the army, to the generals commanding the districts or the officers commanding regiments, concerning which complaints may be conveyed in those anonymous letters?

A. I have already said that anonymous letters are always attended to, and are sent for inquiry in their proper course; they happen almost daily.

[*The witness was directed to withdraw.*]

LORD FOLKSTONE stated to the House, that he had procured the attendance of Duff the Solicitor, and of the Bankrupt, whose name was Kennett, the particulars of which business he had laid before them in the early part of the evening. Shortly after that, he was informed that Duff was in waiting in the lobby. He had spoken to him, and understanding he was willing to submit the papers to his inspection, he had taken upon himself to tell him he need not wait, as he promised to bring him the whole of the papers in the morning. From what he had seen of them, he conceived they were worthy their attention, and he would state their contents whenever they next met on the subject.

(GENERAL ROCHFORT *was then called in, and examined by* MR. PERCEVAL.)

Q. Do you recollect a person of the name of Samuel Carter that lived with Captain Sutton? A. I do.

Q. Do you happen to know whether Samuel Carter was reputed to be the natural son of Captain Sutton?

A. I always understood that he was.

Q. Did he live with him as such?

A. He lived with him as such as it appeared to me.

Q. You knew Captain Sutton?

A. Very well.

Q. He brought him up as his son?

A. Yes, he did, to the best of my knowledge.

Q. Did he give him a good education?

A. I believe the best education he could; he was very capable of educating him himself, and I believe he took a great deal of pains with the boy.

(By MR. BERESFORD.)

Q. Was he in the habit of dining at Captain Sutton's table?

A. I cannot tell; I never dined with Captain Sutton at his house.

Q. When did Captain Sutton die?

A. I cannot exactly say; two or three years ago I believe.

[*The witness being ordered to withdraw, the Chairman was directed to report progress; and ask leave to sit again.*]

[*The House adjourned about two o'clock.*]

NINTH

NINTH DAY.

THURSDAY, FEBRUARY 16, 1809.

THE House having resolved itself into a Committee, LORD FOLKSTONE rose and said, before he produced the papers which he had procured, relative to the fresh charge against his Royal Highness, he thought it would be but right to state the purport of them to the House, that they might be the better understood when they should come to be read. In the year 1804 a negociation was set on foot, for the purpose of raising seventy or eighty thousand pounds for the use of his Royal Highness, by the way of annuity. In this business a man of the name of Kennett was employed as agent, and at the time he was so employed, he had been twice a bankrupt. This matter went on for some time, and during this period there was also a concurrent negociation going forward for the purpose of procuring some place for this Mr. Kennett, in the course of which the Duke of York applied for various situations for him, and great influence was exerted in his favour. It would appear by a letter from Kennett, that the raising the money for his Royal Highness depended on the procurement of a situation for him (Kennett), and there was the answer to that letter, written by Colonel Taylor, at that time his private secretary, acknowledging the receipt of that letter, without any anger whatever expressed at the mention of such a proposition. Of course it would be for the House to draw the only natural conclusion, that the procuring the money, on the one hand, depended on the obtaining the situation on the other. His Lordship considered it as his duty to make this statement, without adding any comment whatsoever on the facts; and he should proceed to call witnesses to prove the hand-writing in the several papers to be produced in evidence.

MR. PERCEVAL said, he should certainly not oppose the going into the proposed inquiry, although it did not strictly fall under the express object of inquiry for which the Committee was appointed, as it neither applied to the conduct of his Royal Highness as Commander in Chief, nor to Mrs. Clarke. But he knew it to be perfectly congenial to the feelings of his Royal Highness that that House should inquire into every thing that could be alleged against him in any capacity, and therefore he should not oppose their proceedings.

LORD FOLKSTONE observed, that with respect to the objection as to Mrs. Clarke, it was a mere nugatory one, as her name did not appear in their instructions; but he was aware that the present charge did not apply in any shape to the abuses in the army; and he thought it but right, as he had stated last night, that, as abuses did appear to exist, they should move in the House to enlarge the powers of the Committee, to enable them strictly to go into the inquiry

inquiry. (Upon a cry, however, of *Go on! Go on!* from all parts of the House, his Lordship proceeded to call witnesses to prove the different papers.)

(Mr. Archibald Duff, *the first witness called in, was examined, as follows, by* Lord Folkstone.)

Q. What are you?

A. A solicitor.

Q. Do you know any thing of Robert Kennett?

A. I am a Solicitor to the Commission of Bankruptcy against him.

Q. At what time did that bankruptcy take place?

A. Sometime in the year 1803.

Q. In consequence of being Solicitor to that Commission of Bankruptcy, have certain papers relative to this inquiry come into your possession?

A. In consequence of the bankrupt's papers having being seized by the Messenger under the Commission, I have become possessed of certain letters, which I ave now in my pocket.

Produce those papers.

[*The witness handed a parcel to the clerk.*]

Q. When did those papers come into your possession.

A. I cannot ascertain the time, sometime I think about the latter end of 1805, or sometime in 1806.

Q. Have they been in your possession ever since?

A. They have.

Q. Are those all the papers in your possession relative to this business?

A. They are all the papers which I have been able to find among the bankrupt's papers, in which, in any manner, the name of his Royal Highness the Duke of York is mentioned.

Q. Did you at any time state, that you believed there was a paper in your possession which you could not readily put your hand upon?

A. I stated last night to Lord Folkstone, while I was in attendance at this house, that I believed there was a paper which I could not readily put my hand upon; but to-day I communicated to Lord Folkstone that I had every reason to believe that that paper was not in my possession, and that the recollection of that paper must have arisen from one of the bankrupt's letters, which is now in the clerk's hand.

Q. Do you mean by not being in your possession, that that paper did not exist, that there was no such paper?

A. I stated to Lord Folkstone then, as I now do, that I believed there was no such paper.

Q. Are you acquainted with the hand-writing of Kennett?

A. Perfectly well.

Q. Look at those papers, and see whether any of them are the hand-writing of the bankrupt Kennett?

A. No. 2. is his hand-writing.

Q. Look at No. 12.; is that the hand-writing of Kennett?

A. No. 12. contains two papers; one is Kennett's hand-writing, and the other is not.

Q. What are those papers?

A. They appear to be respecting appointments at Surinam, which have resulted from the surrender of that colony.

Q. Is that the paper which is Kennett's hand-writing? A. Yes.

Q. Do you know whose hand-writing the other is?

A. I do not.

Q. Is No. 14. in the hand-writing of Kennett? A. It is.

Q. Is No. 17. in the hand-writing of Kennett?

A. No. 17. contains two papers; one is not in the hand-writing of Kennett, the other is.

Q. What is the paper which is in the hand-writing of Kennett?

A. That

A. That which is in the handwriting of Kennett appears to be an application from him to Mr. Greenwood, for Mr. Adam's address in Scotland.

Q. Do you know whose handwriting the other paper is? A. No.

A. Is No. 18 the hand-writing of Kennett? A. Yes, it is.

(*By* Mr. Vansittart.).

Q. You have stated, that there was a paper which you have not in your possession, and which you believed not to exist; to your knowledge, was such a paper ever in existence?

A. I was led to believe that such a paper had existed, from a distant recollection of having read the paper sometime ago; but upon referring to the papers again to-day, and the place in which I found them, namely, the bankrupt's desk, I am satisfied that no such paper ever was in my possession, and that the only circumstance which could have led me to that belief was the bankrupt's letter, No. 18. and so I stated to Lord Folkstone to-day.

Q. Is the Committee to understand that you believe that paper never to have been in existence?

A. I believe it never did exist.

(*By* Mr. Lockhart.)

Q. What business was Kennett?

A. Kennett was formerly an upholsterer in Bond-street; he was, at the time when the commission issued against him, living in Lincoln's-Inn Fields, and carried on, or pretended to carry on, business of tooth-ache curer, curing the tooth-ache by smelling a bottle.

Q. Did he ever obtain his certificate under that commission?

A. Certainly not.

Q. Did he pass his last examination under that commission?

A. He did, after a vast number of examinations, and numerous delays.

Q. Do you know what is become of Kennett now?

A. I know not; I saw him about a month ago.

(*By* Lord Folkstone.)

Q. Do you know any thing particular that has occurred to Kennett since the commission of bankruptcy?

A. I know what his lordship alludes to, but I wish the question was more particular, and not so general.

Q. Did he ever stand in the pillory?

A. He was prosecuted by order of the Lord Chancellor, at the instance of his Majesty's Attorney General, for a conspiracy to defeat that commission, and cheat his creditors; under that prosecution he was found guilty, and was put into the pillory.

Q. Had he been a bankrupt before the bankruptcy to which commission you were solicitor?

A. He was.

Q. State the dates of both bankruptcies?

A. I cannot with precision.

Q. Can you state the date of the second bankruptcy with precision?

A. To the best of my recollection, the 23d of April, 1803.

Q. Can you state in what year the first bankruptcy took place?

A. I think (but I cannot charge my memory with precision) in the month of January, 1801.

[*The Witness was directed to withdraw.*]

Lieutenant Colonel Taylor was next called, but it appeared that he was not in attendance.

Mr. Perceval stated, that upon the first intimation this morning, that Col. Taylor's attendance would be required, he had sent off an express to Windsor to bring him to town, and he believed there had not been time for his arrival; but he had no doubt he would be in attendance by seven or eight o'clock.

Lord Folkstone stated, he wanted to prove his hand-writing, which, probably, some gentleman at the other side of the House could do as well.

(*His brother,* Mr. Edward Taylor, *a Member of the House, offered himself for that purpose. He was accordingly examined as follows:*)

Q. Will

Q. Will you look at No. 3. and state whether that is Colonel Taylor's writing.

A. Yes, it is.

Q. Is No. 6. Colonel Taylor's hand-writing?

A. Yes, it is.

Q. No. 8.? A. Yes, it is.

Q. No. 9.? A. Yes, it is.

Q. No. 10.? A. Yes, it is.

Q. No. 13.?

A. That is not his hand writing.

Q. Does it purport to be?

A. It is written in his name, but it is not his hand-writing.

Q. No. 20?

A. The note is; there is an inclosure with it, which is not.

(MR. ARCHIBALD DUFF *was again called in, and the following questions were put to him:)*

Q. Whose hand-writing is No. 13.?

A. I do not know.

Q. It is not the hand-writing of Kennett?

A. It is not.

[*The witness was directed to withdraw.*]

(MR. WILLIAM ADAM, *attending in his place, was then examined as follows:)*

Q. Look at No. 4. is that your hand-writing?

A. Yes.

Q. No. 5.?

A. It is not my hand-writing, but it was written at my dictation.

Q. No. 19.?

A. This is my hand-writing.

(*The Right Hon.* CHARLES LONG, *attending in his place, was examined as follows:*)

Q. Have you ever seen Mr. Adams, once private secretary to Mr. Pitt, write?

A. I have.

Q. Can you speak to Mr. Adams's hand-writing?

A. I can.

Q. Look at No. 11.

A. That is not his hand-writing, it purports to be a copy.

Q. Is No. 15. your hand-writing?

A. No. 15. is my hand-writing; No. 16. I cannot speak to.

(WILLIAM HUSKISSON, *Esq. attending in his place, was examined as follows:)*

Q. Will you look at No. 21.?

A. I have frequently seen Mr. Chapman write, and, to the best of my belief, this is his hand writing.

[The following papers were then read:]

No. 2.

"The principal sum of 70,000*l.* to be advanced to His Royal Highs the D. of York, by way of Annuity (at Ten per cent) either in One or Two parts, as shall be approved by H. R. H. in the following manner, viz.

"The said sum or sums to be charged on the Oatlands and all the adjoining Estates, Manors, &c.

"The Purchaser to nominate any Two lives (in order to save Insurance.)

"H. R. H. to be at liberty to pay off the principal sum or sums any time after three years (in the usual way) either by giving six months notice or paying six months in advance.

"The Annuity to be payable quarterly, either by an assignment of the Exchequer Order, or an undertaking from the Trustees of the said Order to pay the same."

No. 6.

"Lieut Colonel Taylor presents his compliments to Mr. Robert Kennett, and begs to acquaint him, that His Royal Highness the Duke of York has not any objection to writing to Mr. Pitt respecting the application which Sir Horace Mann has made in his favour."

"Oatlands,
Sunday, 22d July, 1804."

No. 3.

"Lieut Colonel Taylor presents his compliments to Mr. Kennett, and is directed by his Royal Highness the Duke of York to request he will call upon Mr. Adam, in Lincoln's-Inn Fields, upon Wednesday morning next."

"Oatlands, July 29th, 1804."

Addressed,
"Robert Kennett, Esq.
13, Moore-place,
Lambeth."

No. 5.

"Mr. Adam's compts to Mr. Kennett, and means to see him on Tuesday evening, before which he cannot be in town."

"Lincoln's Inn, Thursday."

Addressed,
"Mr. Kennett."

No. 4.

"Mr. Adam is sorry that his business elsewhere detained him yesterday. He will be glad to see Mr. Kennett here to-day at eleven o'clock."

"Lincoln's Inn, Thursday Ms,
2d Augt."

Addressed,
"Mr. Robert Kennett,
13, Moore-place,
Lambeth."

(HENRY SWANN, *Esq. a Member of the House, attending in his place, was then examined.*)

Q. Have you ever seen Sir Horace Mann write?

A. I have seen Sir Horace Mann write very often.

Q. Will you look at No. 7. and state, whether it is Sir Horace Mann's writing?

A. I will certainly admit that it very much resembles the hand-writing of the honourable Baronet; but though it does so resemble it, it is not the usual mode of that honourable Baronet's signing his name, for it is signed "H. Mann," and I very frequently correspond with him: he signs "Hor. Man."

Q. Do you believe that to be the hand writing of Sir HoraceMann?

A. It has something of the character of the hand-writing of Sir Horace Mann.

Q. Do you or not believe that to be Sir Horace Mann's hand-writing?

A. I certainly believe it is.

Q. Will you look at No. 16. is that Sir Horace Mann's hand-writing?

A. I do not think it is; I believe it is not.

[The

The following papers were read:—An Extract from No. 7. dated Margate, July 22d, 1804, addressed to Robert Kennett, Esq. and signed ending "H. Mann."—No. 8. Letter from Lieutenant Colonel Taylor, dated Oatlands, July 16th, 1804.—No. 9. A Note from Lieutenant Colonel Taylor, dated Horse Guards, Thursday Morning.—No. 10. Note from Lieutenant Colonel Taylor, August 7th, 1804.—No. 11. Copy of a Letter from Mr. Adams, dated Friday, 3d August, 1804.—No. 12. beginning "Surinam: The following appointments have resulted."]

No. 7.

"—I shall rejoice sincerely at your success, if it can be an object with you to obtain a situation in such a climate. The channel you mention may be more efficacious than the exertion of my interest, which I will strenuously renew if it is necessary, when I see a prospect of success.

Yrs faithfully,

H. MANN."

"Margate, July 22d."
Addressed,
"Robert Kennett, Esq.
No 13, Moore-place,
Lambeth."

No. 8.

"Sir, "Oatlands, July 16th, 1804."

"I beg leave to acknowledge the receipt of your letter of yesterday, which I lost no time in laying before the Duke of York. I am in consequence directed to request you will have the goodness to call upon Mr. Greenwood in Craig's Court, on Wednesday next, at twelve o'clock, H. R. H. having desired him to communicate with you on the subject of your letter.

I have the honour to be,
Sir,
Your most obedient
Humble servt,
H. TAYLOR."

No. 9.

"Lieut. Colonel Taylor presents his compliments to Mr. Kennett, and begs to acquaint him, that, having called this morning upon Mr. Pitt's private Secretary for the answer to H. R. H.'s application in his favor, he has been promised that it will be sent in the course of the day, if possible, and he will forward it, as soon as received to Mr. Kennett.

"Horse Gds,
Thursday Morning."
Addressed,
"Robert Kennett, Esq.
&c. &c. &c."

No. 10.

"Lieut. Colonel Taylor presents his compliments to Mr. Kennett, and is directed by the Duke of York to transmit to him copy of a letter from Mr. Pitt's private Secretary, in reply to the application which H. R. H. made in Mr. Kennett's favor for the Collectorship of the Customs at Surinam; which answer H. R. H. regrets is not conformable to his wishes. Colonel Taylor would have sent it earlier, had he not been absent from London when it was sent to the Horse Guards."

"August 7th, 1804."

No. 11.

"Downing-street, Friday, 3d August, 1804."

"My dear Sir,

"I have not failed to state to Mr. Pitt the wishes of His Royal Highness the Duke of York, communicated through you, that he would nominate Mr. Kennett to the office of Collector of His Majesty's Customs at Surinam; and I am directed to request that you will submit to His Royal Highness, that, desirous as Mr. Pitt must at all times be to attend to His Royal Highness's commands, he is fearful that, from prior engagements, he is so circumstanced, as not to have it in his power to do so on the present occasion.

I am, &c.

(Signed) W. D. ADAMS."

Addressed,
"Lt Colonel Taylor."

No. 12.

"SURINAM.

"The following Appointments have resulted from the Surrender of this Colony, viz.

"Sir C. Green, to be Govr and Comr in Chief.
Captn Drummond, 2d Bat. 60 Regt Brige Major.
Captn Campbell, 66 Regt Com. of Fort Zelandria.
Captn Maxwell, R. N. Harbour-Master.
G. Chalmers, Esq. Collector of the Customs.
Laur. Donovan, Esq. Comptroller of ditto.
J. Bent, Esq. Army Agent and Contr for Prisoners.
—— Pringle, Esq. Colonial Secretary.
R. Ross, Esq. Private Secretary.
D. Monro, Esq. President Commissary.
R. A. Hyndman, Esq. Resident Paymaster.
Lieut Rowan, 64 Regt Aid-de-Camp.
Lieut. Imthurn, 2d Battalion 60 Regt Mily Secr, Vendue Master at a per Centage, on the same footing as at Demerara."

(The

(*The Right Honourable* CHARLES LONG, *attending in his place, was examined.*)

Q. Do you recollect ever writing a letter of which No. 15. purports to be a copy?

A. I have no recollection of it; it is very likely I might have written such a letter; it does not appear to be a very accurate copy; it is dated "Bromley Park;" I never dated Bromley Park, but Bromley Hill.

[The following paper was read: No. 15. Letter from Mr. Long.]

No. 15.

"Bromley Hill, Kent,
Augt 30th.

"Sir,

"I am sure Mr. Pitt would have been very happy to have attended to y^{r} request respecting Mr. Kennett, but I know upon the application of the Duke of York, he was informed that the office of Collector had been appointed to.—As to the other office, having received a letter written by the desire of H. R. H. the Duke, I made inquiry respecting it, and I do not find that there is any such office as Assistant Commissary and Agent for Prisoners, (or Commissary Genl as it was called in the Duke's letter) to be appointed from hence; the Commissary Genl in the W. Indies, Mr. Glassford, recommends such Deputies as he finds necessary for conducting the business of his Department, and they are usually appointed by the Treasury in consequence. The office of Agent for Prisoners I conceive to be under the direction and appointment of the Transport Board.

Believe me, Sir,
most faithfully y^{rs},
C. LONG."

(*To Mr. Long.*) Q. Can you state to whom the letter just read was written?

A. It appears to be in answer to Sir Horace Mann's, but I cannot state whether it was so or not.

[The following papers were read: No. 17. beginning "R. Kennett will be obliged to Mr. Greenwood, &c."—No. 19. Letter from Mr. Adam.—No. 20. The Letter beginning "Lieutenant Colonel Taylor encloses for Mr. Kennett's perusal," dated 22d November 1804.—No. 21. Letter from Mr. Chapman to Lieutenant Colonel Taylor.

No. 17.

"R. Kennett will be obliged to Mr. Greenwood, for Mr. Adam's address in Scotland, and if he can inform him about what time he will return.

"Sat^{y} Morn^{g}."

Address,
"Wm Adam, Esq.
Blair Adam,
N. Britain.

No

No. 19.

" Blair Adam,
" Sir, 4th Octr 1804, Scotland.

" I wrote to Mr. Greenwood, who would probably signify that I had received yours, and would go forward with the business as soon as I returned to town; I now (in case of your not being at a certainty) write to yourself, to say, that I shall desire to see you as soon as I return to town, which will be the middle, or soon after the middle of this month.

I am, Sir,
Your obed^t humble servant,
WILLIAM ADAM."

Addressed,
" Mr. Kennett,
13, Moore Place,
Lambeth."

No. 20.

" Lieut Colonel Taylor encloses, for Mr. Kennett's perusal, a letter from Mr. Chapman, and is very sorry to find from it that the situation of Vendue Master is disposed of. Mr. Chapman has been out of town, which accounts for the delay, in regard to the receipt of the information now given.

" Should Mr. K. wish to see Col. T. he will be here to-morrow between three and five o'clock."

" Horse Guards,
22d Novr 1804."

" (Private.) No. 21.

" Downing-street,
" Dear Taylor, 22 Nov. 1804.

" Lord Camden desires me to request you will express to the Duke of York his great regret, that the office of Vendue Master of Surinam was disposed of before you communicated His Royal Highness's wish in favour of Mr. Kennett.

Believe me,
very sincerely yours,
JAS. CHAPMAN."

" I should have given you an earlier answer, but have been out of town."

Addressed,
" Lt Col. Taylor,"
in an envelope to
" Mr. Kennett, *&c. &c.*"

(*Lieutenant Colonel* TAYLOR *was called in, and examined by the Committee as follows:*)

Q. Look at that letter (No. 8.) is that your hand-writing?

A. Yes, it is.

Q. Peruse the letter and state to whom it was addressed?

A. I believe to Mr. Kennett, from what I have heard of this business: there is no address.

Q. Peruse No. 13, and state to the Committee, whether you ever wrote the letter of which that purports to be a copy?

A. I believe I did.

Q. Peruse

Q. Peruse No. 18, and state whether you ever received the letter of which that purports to be a copy?

A. I think I did.

Q. Have you the letter which you received, of which you believe that to be a copy?

A. I have not.

Q. Do you know what is become of it?

A. I believe I destroyed it.

Q. It appears as if this was a draft of two distinct letters; do you mean that any letter you have received contained both those letters, or only one of them?

A. I can only speak from memory; I think the transaction was in 1804; it is impossible for me to charge my memory accurately respecting it; I have kept no papers upon the subject.

Q. Which of the two letters do you think you received a copy of?

A. There is one of the letters I can read with difficulty; it is erased, and there are pencil-marks in it; I believe them to be two distinct letters.

Q. Did you receive both?

A. I believe I did, I can only speak from memory.

Q. You destroyed both that you received?

A. I am confident I destroyed all I received.

(By Mr. Perceval.)

Q. One of these appears to have part written in pencil, and part in ink; can you charge your memory whether that which you received had that written in pencil, or that written in ink?

A. I cannot charge my memory.

[The following papers were read:—N. 13. Note from Colonel Taylor to Mr. Kennett.—No. 18. Rough draft of two letters from Mr. Kennett.]

No. 13.

"Colonel Taylor presents his comp^{t} to Mr. Kennett, and is extremely sorry that he could not wait, as the Duke's carriage was waiting for him. He is directed by H. R. H. to say, that will apply for the situation of Ass^{t} Comm^{y} General &c. &c. at Surinam, but that he will be able to do it with more effect if Sr H. Mann will write to H. R. H. recommending Mr. Kennett.

Robert Kennett, Esq.
&c. &c. &c."

"Horse G^{ds}
Augt 15th."

No. 18.

"Sir, Moore Place, Lambeth, Sepr 16, 1804.

I called

"I did myself the pleasure of calling on Mr. Greenwood yesterday, respecting the Loan to His Royal Highness, and of my intention to write to Mr. Adam, which I did by last night's post, wherein I requested Mr A. to say, if I could forward the business in any way previous to his return to town.

"I beg leave, Sir, also to observe, I was with the *and I still*
Gentleman yesterday in the City, respecting the business *flatter myself with the possibility of getting the appointment of C.*
of Surinam, and who still hoping if possible, to be yet

The words in *Italic* were written in Pencil.

favoured with the appointment of the Collectorship, (in preference to any other), and in the event will he advance to that H. R. H. wishes,
any amount the situation in particular (of Army Agent, &c.) being of trivial emolument, adequate to the risque of the climate."

"Sir,

"With all due deference and respect to His R. H. the D. of Y[k] for His application in my behalf of the appointment of Army Agent, &c. at Surinam, but as the emoluments of it are but trivial, adequate to the risque of the climate (and the short time it may be in our possession) I beg leave to decline accepting it.

Permit me, Sir, to observe

"As there is yet a probability of succeeding to the appointment of Collectorship of the Customs, * I hope I may have the preference, but * as I believe there is no warrant made out for it—but in the event that it is inevitably disposed of, allow me to solicit the situation of Vendue Master, at a per centage, on the same footing, as at Demarara."

A without presuming A A

Sir in that case H. R. H's. patronage for

Addressed,

"L[t] Col[l] Taylor, &c.
"Oatlands."

(*Examined by* LORD FOLKSTONE.)

Q. State to the Committee what you know of the transaction respecting which, in your first letter, No. 8, you desired Mr. Kennett to call upon Mr. Greenwood?

A. As far as I can recollect, Mr. Kennett wrote to me at Oatlands a short note, stating, that he had something to propose to me for the advantage of his Royal Highness the Duke of York, and desiring that I would see him; I am not quite certain whether I appointed him there or in London, but I think at Oatlands. Mr. Kennett mentioned to me I think then, or in a note (I cannot charge my memory exactly, having kept no notes,) but I think he verbally mentioned to me, that he could procure for his Royal Highness the loan of thirty or forty thousand pounds; and as far as I recollect that was all that passed then, except that I said I should submit it to his Royal Highness the Duke of York, and let him hear further from me upon the subject.

Q. Do you recollect the date of this conference with Mr. Kennett?

A. I do not.

Q. State it as nearly as you can?

A. I really cannot recollect.

Q. Do you recollect the year?

A. I do not recollect the year, I was told of it coming here.

Q. Do you mean to state that this was the first step in this transaction?

A. Yes, it was.

Q. That Mr. Kennett volunteered his services?

A. He did.

Q Did you inform the Duke of York of this application of Mr. Kennett's?

A. I did.

Q. What was the result?

A. I

A. I was desired to refer Mr. Kennett to Mr. Adam.

Q. Do you know any thing more which took place respecting that transaction?

A. At that time, or subsequently, Mr. Kennett mentioned to me, that he was very much supported by Sir Horace Mann, with whom he had been long acquainted; and he told me that Sir Horace Mann had desired him to say he should feel very much obliged to me, if I could use my influence with the Duke of York to assist him in obtaining a situation. I am not certain whether that was in his first verbal communication, or in his second.

Q. Was the second communication long after the first?

A. No, very shortly.

Q. Between the first and the second, do you know whether Mr. Kennett had seen Mr. Adam?

A. I believe not.

Q. What passed at that second meeting?

A. I really cannot state exactly what passed; I cannot charge my memory with the particulars.

Q. Did you state to the Duke of York when the offer of the loan was made by Mr. Kennett, that Sir Horace Mann would be much obliged to the Duke if he could procure for Mr. Kennett a place?

A. Mr. Kennett's communication respecting Sir Horace Mann, was subsequent to the offer of the loan; the offer of the loan had been communicated to his Royal Highness previous to the communication respecting Sir Horace Mann.

Q. Are you certain that the communication respecting Sir Horace Mann was at the second meeting?

A. I am almost certain, as far as I can be from recollection.

Q. Are you certain that it was after the first conversation with Mr. Taylor?

A. I have stated that it was subsequent to the first.

Q. Do you mean to state that you are not certain whether it was at the second or some subsequent meeting?

A. Yes, it certainly was not at the first.

Q. Did you ever state that communication respecting Sir Horace Mann's wishes to the Duke of York?

A. I did.

Q. How soon after Mr. Kennett had informed you of that wish of Sir Horace Mann's did you mention it to the Duke of York?

A. I think almost immediately.

Q. You do not know what interval there was between the offer of the loan and that communication respecting Sir Horace Mann's wishes?

A. I really cannot say.

Q. Was the negociation of the loan ever concluded?

A. I believe not; but I do not know; for his Royal Highness has not been in the habit of employing me in his money transactions.

Q. Do you know any thing more of that negociation about the loan?

A. Mr. Kennett called upon me several times, and wrote to me occasionally; but it is very difficult for me to recollect what passed upon the subject, from the time that has elapsed; but as far as I recollect, Mr. Kennett mentioned to me repeatedly, that he had seen Mr. Adam: he complained of Mr. Adam's delay; and at one time he said, he really began to think that his Royal Highness and Mr. Adam were indifferent about the loan, from having been put off so often as he had been.

Q. State to the Committee what you know with respect to the steps taken to procure Mr. Kennett a place, and the correspondence with Mr. Adam and others upon that transaction?

A. In consequence of Mr. Kennett's communication to me, particularly that in which he mentioned that Sir Horace Mann was very much interested in his favour, I stated to his Royal Highness the Duke of York Mr. Kennett's wish to obtain an office; those offices were specified by him;

I do not recollect what they were, and his Royal Highness authorized me to write to Mr. Long upon the subject; I do not recollect writing any other letter; I probably have, but I cannot charge my memory, having had no reference to papers.

Q. Were the two letters of which you have read the copy (No. 18.) shewn to the Duke of York?

A. I cannot recollect, but I believe not.

Q. Was the substance stated to the Duke of York?

A. I dare say it was.

Q. Have you any doubt that it was?

A. I have no doubt that I did state it to the Duke; not that I can positively say that I did; but I probably did.

Q. Was it in the regular course that you should state it to the Duke?

A. I certainly should have stated it to the Duke if I received such letters, believing the communication to be intended for him.

Q. Do you know whether Mr. Kennett ever obtained any appointment?

A. I understood not.

Q. What was the situation about the Duke of York which you filled at that time?

A. I was private Secretary to his Royal Highness.

[*The witness was directed to withdraw.*]

(MR. CHARLES GREENWOOD *was again called in, and examined by* LORD FOLKSTONE.)

Q. Do you recollect Mr. Kennett coming to you? A. I do.

Q. State to the Committee all you know respecting that transaction?

A. I know very little about the transaction, further than Mr. Kennett's calling upon me; I understood by the Duke of York's commands, communicated by Colonel Taylor; I heard what he had to say, but I considered it a wild proposal, and did not much attend to it.

Q. When was this?

A. I really cannot recollect the time.

Q. What was the proposal which you state to have been a wild proposal?

A. A very large loan, and without any thing required but personal security; that was the proposal, to the best of my recollection; I may be mistaken.

Q. To what extent was the loan?

A. To the best of my recollection 30,000*l.*; I am not at all clear upon it, but I think it was so.

Q. Did Mr. Kennett state to you, that he wished for any thing else in consequence of the advance of this sum of money, besides personal security?

A. I understood his object was to obtain some appointment for a friend.

Q. What sort of appointment?

A. I do not recollect.

Q. Do you know who that friend was? A. I do not.

Q. Do you mean an appointment under Government?

A. I concluded so; upon recollection, I doubt whether it was not some appointment in the West Indies that was his aim.

Q. Did you state this conversation to the Duke of York?

A. I stated the substance of it.

Q. What was the Duke's observation?

A. I do not think that his Royal Highness gave much attention to it, but said it might be enquired into, or something to that effect.

Q. Do you know whether it was enquired into?

I rather think that Colonel Taylor or Mr. Adams, I am not clear which, had directions to enquire about it.

Q. Do you know, of your own knowledge, any thing more about it? A. I really do not.

Q. Did you ever see Mr. Kennett upon the subject afterwards?

A. He called upon me two or three times.

Q. What passed upon those occasions?

A. Repeating

A. Repeating his offers, and I paying very little attention to them.

Q. Did he at each time repeat his application for a situation under Government?

A. I do not recollect that he did.

Q. Are you certain about it?

A. He might have possibly stated his wish for an appointment under Government more than once; I cannot be certain of it; but in general, the conversations were very short with me.

Q. Did you communicate those conversations to the Duke of York?

A. I do not think that I did all of them.

Q. Did you communicate some of them to the Duke of York?

A. I remember telling the Duke of York, that I did not think it was a proposal that could be of any effect.

Q. Did you ever state to the Duke of York his wish to obtain the situation under Government?

A. I believe I did.

Q. Did Kinnett ever apply for a situation under Government for himself?

A. Not to my knowledge.

Q. Always for a friend.

A. I always understood him so.

Q. Are you certain that he so stated it?

A. I am certain that I understood him so.

Q. Did you know who Mr. Kennett was?

A. I heard that he had been in trade in Bond-street.

Q. Did you know what profession he carried on at that time?

A. No.

Q. Did you know where he lived?

Q. No, I rather think he lived somewhere beyond Westminster Bridge, but I do not know where.

Q. Did you know that he had been a Bankrupt?

A. I do not know that for certain, I knew he had been in trade, but whether he had failed or not I do not recollect.

Q. Did you ever enquire into this man's character?

A. I had heard an indifferent character, I did not enquire about him.

Q. Did you state the result of those enquiries to the Duke of York?

A. I believe I stated that he was a man not to be attended to; I think so.

Q. Are you not certain that you did so?

A. I think it must be so, because it was my feeling.

Q. You have no doubt that you did so state?

A. I have no doubt that I did.

[*The witness was directed to withdraw.*]

Mr. Huskisson stated, that he had, since the examination of Lieut. Colonel Taylor, conversed with that gentleman in the lobby, and that he (the Colonel) said, that if he had been asked further questions, he could have answered them. He asked him in what respect? To which Colonel Taylor answered, that it was with respect to the conversations he had with the Duke upon this subject. He therefore suggested to the House the propriety of recalling that gentleman to the bar.

(Lieut. Col. Taylor *was called in and examined by* Mr. Huskisson.)

Q. Pending the transaction with Mr. Kennett, which you have mentioned, did you make any enquiry respecting his character?

A. I did not, he was only known to me from Sir Horace Mann's recommendation.

Q. Did any friend of your's state to you any thing he knew of him?

A. In the course of his visits to the Horse Guards, where he came three or four times, more or less, he

was met by a person who asked me whether I had long known him; I stated to him that I only knew him from Sir Horace Mann's recommendation, and from his communications to me subsequent to that. He then told me, that he had formerly known him; I think he said he had been a Stock Broker, but I am not certain; but I am certain that he said he had failed, and that there were circumstances attending his failure which were not to his credit, and he cautioned me against him.

Q. Did you communicate to His Royal Highness the Duke of York this information? A. I did.

Q. What passed between yourself and His Royal Highness in consequence of your making this communication?

A. His Royal Highness ordered me, in consequence, to drop every further application in his favour.

Q. Is there any other circumstance connected with the communications you held with Mr. Kennett that you can recollect, and which is material to this inquiry?

A. I cannot say I recollect any other.

(By LORD FOLKSTONE.)

Q. Do you recollect when that information was given you respecting Mr. Kennett?

A. I do not, it was after I had had several communications with him, as I have before stated.

Q. Had you any communication with him afterwards?

A. None that I recollect; I might have some verbal communication with him, but none that was material, certainly.

Q. From whom was it you received this information?

A. I was desired by the person giving me the information not to name him.

[*The witness was directed to withdraw.*]

(*The witness was again called in.*)

Q. When first you saw Mr. Kennett, did he come recommended by Sir Horace Mann?

A. He did not.

Q. Did you see him frequently before he was recommended by Sir Horace Mann?

A. I think it was the second time that he mentioned the interest Sir Horace Mann took in his favour, and I think he brought a letter from Sir Horace Mann to me.

Q. Did he bring that letter in consequence of any wish expressed by you, that he should bring some recommendation before you would enter into a negociation of this sort?

A. He did not, the recommendation from Sir Horace Mann was spontaneous.

Q. Did you not know that Mr. Kennett had been a Bankrupt?

A. I did not, I knew nothing of Mr. Kennett till I received that information.

[*The Witness was directed to withdraw.*]

(MR. ADAM, *attending in his place, was then examined by* LORD FOLKSTONE.)

Q. State to the Committee what you know of this transaction?

A. When this transaction was begun to be stated by Mr. Duff, and that he mentioned Mr. Kennett, I had not, at first, the most distant recollection of such a transaction ever having taken place: but as Mr. Duff went on and stated some circumstances, the recollection of such a transaction recurred to my mind, and the circumstance of my two notes and my letter having been put into my hand, has made that recollection still more accurate, as far as it is possible for me to call that accurate at all which rests in recollection at so long a distance of time. I remember to have seen Mr. Kennett on the business of this proposed loan, and upon that only; nothing, as far as I can recollect, was ever stated to me by him but that; and the first impression I now recollect that

had of it was, that it would
rn out a loan that could be en-
nto. I apprehended that soon
my first interview, if I had
han one with him in the month
gust, I must have left town for
nd, and consequently have
, nothing of what was pro-
g, if any thing was proceed-
the interval; and I can only
at for the last letter, the letter
n from Scotland, in this way;
previous to my departure from
idence there, I had been con-
ng the different matters I was
r into probably when I return-
town, and amongst the rest
ritten upon that subject. I do
ecollect ever to have seen Mr.
tt after my return; at the same
think it is probable that I may
een him, but the loan was put
l to, and all intercourse with
ennett was put an end to with-
y thing being done. I think
t to say, that I knew nothing
of Mr. Kennett when he first
upon me, or any thing res-
g his character. This is all I
ll to my recollection.

Q. Did you make any enquiries respecting the character of Mr. Kennett?

A. I have no doubt that I must have made enquiries, though I cannot recollect them; and I think the information, which Colonel Taylor mentions, must have been communicated to me.

Q. Do you mean that it was communicated to you by Col. Taylor?

A. I can only say that I presume it was, but I cannot speak from any certain recollection.

Q. You cannot say whether you heard it from Colonel Taylor?

A. I cannot say positively whether I heard it from Colonel Taylor.

Q. Nor can you recollect when you heard it?

A. I cannot recollect when I heard it, but I think it must have been after my return from Scotland in October 1804.

Q. What was that information?

A. That he was a person not at all likely to accomplish the object, and a person of the character which has been alluded to by Colonel Taylor.

RD FOLKSTONE then asked whether Kennett was in attend-
? When Mr. C. W. Wynne objected to his evidence being
, upon the ground that it would not be received in any Court
ever; to which the noble Lord immediately assented.
on a question from Mr. Perceval to Lord Folkstone, whether
d any other witness to call, he replied in the negative; but
hat he did not know whether Mr. Wardle had any, as he was
absent.
on Mr. Wardle returning to his seat, he said he had no other
ss to call; but he had some letters to lay before the Coun-
e, which he accordingly produced. He was then interrogated
r. Lockhart.

Are the letters which you have
lelivered in, the letters which
uded to in Mrs. Clarke's let-
the 18th of January?
I presume they are, they are
tters of the officers she was to
got recommendations for; I
of no other letters, and I pos-
others.

Q. State, with as much accuracy as you can, the time when you received these letters from Mrs. Clarke?

A. I have no memorandums enabling me to state the date precisely.

Q. In what year was it?

A. It was within the last two months.

Q. Are

No. 6.

"Lieut Colonel Taylor presents his compliments to Mr. Robert Kennett, and begs to acquaint him, that His Royal Highness the Duke of York has not any objection to writing to Mr. Pitt respecting the application which Sir Horace Mann has made in his favour."

"Oatlands,
Sunday, 22d July, 1804."

No. 3.

"Lieut Colonel Taylor presents his compliments to Mr. Kennett, and is directed by his Royal Highness the Duke of York to request he will call upon Mr. Adam, in Lincoln's-Inn Fields, upon Wednesday morning next."

"Oatlands, July 29th, 1804."

Addressed,
"Robert Kennett, Esq.
13, Moore-place,
Lambeth."

No. 5.

"Mr. Adam's compts to Mr. Kennett, and means to see him on Tuesday evening, before which he cannot be in town."

"Lincoln's Inn, Thursday."

Addressed,
"Mr. Kennett."

No. 4.

"Mr. Adam is sorry that his business elsewhere detained him yesterday. He will be glad to see Mr. Kennett here to-day at eleven o'clock."

"Lincoln's Inn, Thursday Mg,
2d Augt."

Addressed,
"Mr. Robert Kennett,
13, Moore-place,
Lambeth."

(HENRY SWANN, *Esq. a Member of the House, attending in his place, was then examined.*)

Q. Have you ever seen Sir Horace Mann write?

A. I have seen Sir Horace Mann write very often.

Q. Will you look at No. 7. and state, whether it is Sir Horace Mann's writing?

A. I will certainly admit that it very much resembles the hand-writing of the honourable Baronet; but though it does so resemble it, it is not the usual mode of that honourable Baronet's signing his name, for it is signed "H. Mann," and I very frequently correspond with him: he signs "Hor. Man."

Q. Do you believe that to be the hand writing of Sir Horace Mann?

A. It has something of the character of the hand-writing of Sir Horace Mann.

Q. Do you or not believe that to be Sir Horace Mann's hand-writing?

A. I certainly believe it is.

Q. Will you look at No. 16. is that Sir Horace Mann's hand-writing?

A. I do not think it is; I believe it is not.

[The

Mr. Wardle being shewn to
tness]
Yes, these are the letters.
When did you deliver these
to Mr. Wardle?
Soon after I received them
Mr. Donovan.
When did you receive them
Mr. Donovan?
do not recollect.
The letters appear to be all
in the beginning of the year
had you them in your posses-
om the time of the dates until
elivered them to Mr. Wardle?
I cannot exactly say.
Look at the letter, and say
hand-writing it is? [A letter
hewn to the witness]
I do not know.
Look at that letter (No. 2.)
y whose hand-writing you be-
hat to be?
I do not know the hands at all.
Look at that letter (No. 3.)
y whose hand-writing you be-
hat to be?
I do not know.
These letters purport to be
cates from officers; did you
ese letters to Mr. Wardle with
to his procuring the signature
Member of Parliament as an
onal recommendation, not
ng whose hand-writing the
al recommendation was?
I gave another to General
ring, and he took the precau-
of enquiring at Mr. Green-
s or the Adjutant General's.
ve it is one of those I gave to
ul Clavering, that signed
s."
These letters purport to be
cates from officers; did you
hese letters to Mr. Wardle with
to his procuring the signa-
f any Member of Parliament
additional recommendation,
owing whose hand-writing the
al recommendation was?
Yes, Mr. Donovan told me
were all correct, and that they
were the officers recommendations
in a proper manner.

Q. Did Mr. Donovan tell you they were the hand-writing of the respective officers whose hand-writing they purport to be?

A. Yes, he did.

Q. Do you now know the hand-writing of the person who wrote either of these letters?

A. No, I do not.

Q. Do you know the hand-writing of Mr. Donovan?

A. Yes, I have had a great many letters from Mr. Donovan.

Q. Look at that letter, and say whether that is not the hand-writing of Mr. Donovan?

A. I think that looks very like it, but I would not take upon me to say it is, when it is signed "William Wallace;" I think it looks very like it.

Q. At the time you received that letter, did you conceive that the body of the letter was of the hand-writing of Mr. Donovan?

A. No, I certainly did not, nor should I without looking at it again. I would not think that a man would presume to put another man's signature; and I am not sure that it is his writing now, but it is very like it.

Q. Was the only reason for your not supposing it to be the hand-writing of Mr. Donovan at the time that you received it, that the signature was the signature of another person?

A. I never made any remarks upon it at all; perhaps I did not read it.

Q. Did you put letters into the hand of a Member of Parliament to procure his recommendation, those letters being original recommendations themselves, without reading them?

A. Yes, I should, because the person would take care that it would be proper before he got any thing done, as General Clavering did; he went to ascertain the writing, and found

found it to be correct, as he told me. *(A laugh!)*

Q. Look at both the letters signed "Wallace." [They were both shewn to the witness.]

A. One is only a copy of the other letter. Mr. Donovan has copied this letter; I suppose you perceive that; if you read them, they are both the same.

Q. When did you receive the copy, and when did you receive the original?

A. I cannot tell; here they both are; I can tell nothing further than that.

Q. Did you receive them both at the same time? A. I cannot tell.

Q. The letters are not merely a copy; one is addressed at the bottom, and the other is not?

A. General Leigh is left out in one.

Q. Which is the original?

A. That I will leave to the Honourable House to find out; but the other is addressed on the outside to General Leigh, that is the only difference; what is at the bottom of one is on the outside of the other; it is only a half sheet of paper, that he could not put it upon the back perhaps.

Q. How do you know that Mr. Donovan has copied the one from the other?

A. Because it appears from looking at them, I think that the looking at them would convince any one.

Q. You have now no doubt of one of these letters being Mr. Donovan's hand-writing?

A. No, I think one is his hand-writing perhaps; it is very likely; I do not know.

Q. Are these the letters which you state yourself, in your letter to Donovan of the 28th of January, to have put into Mr. Wardle's hands for the purpose of facilitating the negociations?

A. Yes, I think they are; but General Clavering had one; I do not know what is become of that.

Q. Are these all the letters you put into Mr. Wardle's hands for the purpose of facilitating the negociation?

A. Yes.

Q. And to which you refer in your letter of the 28th of January?

A. Yes.

Q. Explain to the Committee in what manner you conceived these letters in Mr. Wardle's hands were to facilitate a negociation?

A. He told me he would get some recommendations from some members of Parliament.

Q. Mr. Wardle told you that he would use those letters for the purpose of facilitating this negociation, by getting the signature of some members of Parliament?

A. Yes, he did, and he has made a different use of them; I dare say he never tried.

Q. Then you were led by Mr. Wardle to expect he would accomplish the object for which you put these letters into his hands, that of facilitating a negociation from which you were to receive some pecuniary advantage?

A. Yes; but I find now he was only laughing at me; it was only to get into the secrets of Donovan and myself.

(By Mr. Tracy.)

Q. What was the reason assigned for the non-payment of the annuity, or was there any reason assigned?

A. There was no reason whatever assigned.

Q. Do you recollect what the conditions were upon which the annuity was to be paid?

A. No, there were no conditions at all; Mr. Adam promised faithfully, both to me and to my lawyer to see it punctually paid; *(A cry of Order!)* I believe you are going to call in Mr. Reid; it is quite unnecessary, for I do not deny any thing Mr. Reid said about sending me wine.

Q. Why, if the letters now produced

l are the letters you delivered
lonel Wardle for the purpose
cilitating some negociations
relate to army promotions,
u describe one of them, in your
of the 28th of January, as re-
g to two deaneries?
In my opinion it did not refer
such thing.

Clarke's letter to Mr. Donovan, he 28th of January, was read.]

e are the letters he took away.
Can you state nearly the total
nt of the different sums that
paid on your account by the
of York, during the period
ontinued under his protec-

I know nothing at all about it,
be paid.
Do you recollect whether your
man in Gloucester-place was
ard-wages?
He lived in the house till he
ed, and then he was on board-
.

Reid *being called as a witness,)*
s. Clarke—I beg to ask, whe-
t is necessary for Mr. Reid to
lled in while I am here; may I
ke the sense of the Honour-
House upon that? *(Loud*
ing with cries of order! order!)
Reid not being in attendance, the
ness was directed to withdraw.]

Lockhart *then put the follow-*
g questions to Mr. Wardle.)

Did Mrs. Clarke put any let-
nto your hands, avowedly for
urpose of facilitating the nego-
n, and stating that to be the
t?
She put them into my hands,
aid she wished I would get them
d for her, but till she made
n the circumstance last night,
lly did not know what she
t by the term negociation.
What answer did you make to
roposal?
Really, I believe, I said my
friends were on the wrong side of the House, or some answer of that description, and that very little more passed; and I took the letters, and kept them ever since.

Q. Then if you stated, that your friends were on the wrong side of the House, what led you to make that statement, not understanding what she meant by facilitating the negociation?

A. Certainly, when I heard her note read, I had not the most distant idea of what she meant, nor had I till I heard her state the circumstance last night.

Q. Were the letters she put into your hands for the purpose of facilitating the negociation, the three letters you have delivered in this evening, or the letters referred to in her letter to Mr. Donovan of the 28th of January?

A. I believe the letters referred to in her letter of the 28th of January were on the table of this House at the time she wrote that note, or very nearly so; I had the letters she refers to in that note a long period before that letter was written; I had the letters respecting the deanery and the Queen, I believe, long prior to my having those I have delivered in to-night.

Q. Then the Committee is to understand, that the letters referred to in Mrs. Clarke's letter to Mr. Donovan of the 28th of January, as having been put into your hands for the purpose of facilitating the negociation, were not the letters described by Mrs. Clarke in her letter to Mr. Donovan?

A. I should conceive it impossible, for I had had them a long period before, and I believe they were upon the table of this House at the time she wrote that letter.

Q. Were you aware that one of those letters which you delivered in this evening was in the hand-writing of Mr. Donovan?

A. I certainly was not, I hardly ever looked at them till to-day; I

perceived that one was a copy, but never attended to it at all.

[*The following extract from* Mrs. Clarke's *evidence was read.*]

Q. "Explain to the Committee in what manner you conceive those letters in Mr. Wardle's hands were to facilitate a negociation? A. He told me he would get some recommendations from some Members of Parliament.——Q. Mr. Wardle told you that he would use those letters for the purpose of facilitating this negociation, by getting the signature of some Members of Parliament? A. Yes, he did; and he has made a different use of them; I dare say he never tried."

Q. Is that statement which has just been read true?

A. I have before stated, that when Mrs. Clarke gave me these letters, I said, that my friends were on the wrong side of the House, or something of that kind; and I really do not recollect that any thing further passed upon the subject.

Q. Did you make the promise which Mrs. Clarke has stated you made?

A. I certainly did make no direct promise; I gave her that sort of answer, which I have a dozen times repeated to this Committee.

Q. Did you make any promise whatever, direct or indirect?

A. I have answered that question frequently; I never said more to her upon the subject than I have stated to the House.

(By Mr. Croker.)

Q. Is Mrs. Clarke's statement true or false?

A. Really, after I have most positively stated all that passed upon the subject, I should think the Honourable Gentleman is as equal to draw the conclusion as I am myself, it depends so much upon the impression at the moment, and my actions at the time. I was anxious to get the letters; that I made any direct or positive promise I am not at all aware; by my taking the letters away she might draw that conclusion, but I have not the least recollection of such a promise having been made by me.

Q. Can you positively state to the House that you did not give Mrs. Clarke reason to believe when you left her, that you would carry into effect her wishes as far as was in your power?

A. I have before stated, that I do not recollect making her any promise whatever.

Mr. Croker insisted on the question being repeated, and contended the honourable gentleman was competent to answer it. He then left it to the judgment of the Committee, whether it ought or ought not to be answered.

This produced a long conversation, in which Mr. Martin, Mr. Bathurst, Mr. Whitbread, the Attorney-General, Mr. C. W. Wynne, Sir T. Turton, and Mr. Barham, took a part. The latter gentleman particularly urged, that there was an apparent impropriety in the question, as it was not a question of fact, but of construction, and the Committee had been particularly cautious to tell other witnesses not to speak as to opinion but as to fact *(hear! hear!)* while at present the honourable member was desired not only to speak as to his own opinion, but as to the opinion of another.

At length the Attorney-General said, he would put a question which might satisfy the views of the Committee.

Q. Did

Q. Did you, directly or indirectly, promise Mrs. Clarke that you would comply with her request?

A. Whether or not my taking away the letters, and making her the answer I have before repeated, might indirectly lead her to suppose I would do it, is more than I can say.

Mr. Bebsford wished to ask a few questions of the honourable member.

Lord Folkstone stated, that he never recollected a more indecent proceeding. The witness who was examined at the bar was ordered to withdraw until the arrival of another witness, and then his honourable friend was examined, by way of interlude, until that witness should arrive. After some time had been spent in questioning him, not in the most decorous manner, the Serjeant was asked if the person for whom they waited was yet come, and on his reply that he was not, the honourable gentleman wished to put a few more questions, to pass away a little more of the time.

Mr. Bebesford said, that he had not communicated with a single individual round him, but thinking that as favourable an opportunity as would offer, he therefore proposed to question the honourable member. If the Committee were of opinion that this was not a proper time, he must submit; but he would not leave the House this night until he had questioned him.

Lord Folkstone explained.

Mr. Perceval stated his motive for wishing to bring Mr. Reid to the bar; it was that he might identify Mrs. Clarke as the person who was with Mr. Dowler. The question that led to the debate was not put by him, neither did he take any part in the debate itself. He thought that the noble Lord, instead of stigmatising that side of the House, in general, should rather have stated the persons he thought censurable. He would take advantage of this opportunity, if the Committee would permit him, to call their attention to a most important circumstance, materially connected with the business then under inquiry. The circumstance to which he alluded, was a fact new to the House in general, but not unknown to many persons on both sides. He had kept it a secret purposely, till the evidence was closed, conceiving that the most favourable opportunity for its introduction. He begged to state, that if there appeared any impropriety in withholding it from the Committee so long, that impropriety was his own; His Royal Highness was most anxious that the communication should be made. The circumstance to which he begged to call their attention, was the suppression of a most material testimony, relating to the charge respecting Major Tonyn. That charge, as it now stood, rested upon the evidence of Mr. Donovan and Captain Huxley Sandon, for the part which Mrs. Clarke had in the case, was trifling and unimportant. [Here the honourable member read part of the evidence of these gentlemen, particularly of Captain Sandon, in which he mentioned his having prevailed on Captain Tonyn to wait for a few days longer, when

when he was anxious to withdraw his memorandum from Mrs. Clarke.] He could not, he thought, more correctly introduce the suppression which he rose to notice, than by stating how he obtained the information. About last Saturday se'nnight he had received a letter, by Colonel Hamilton, from Mr. Adam. This Colonel Hamilton commanded the baggage corps in which Sandon was a captain. Colonel Hamilton stated, that understanding Captain Sandon to be acquainted with something of the affair before that House, he desired him to relate all he knew of the subject. Captain Sandon accordingly acquainted him with many circumstances; all those, with the exception of one, he stated at the bar, and that one was the material suppression which he (Mr. Perceval) had risen to explain. Captain Sandon had stated to the Colonel, that upon learning the dissatisfaction of Major Tonyn, and his intention to withdraw his security, he informed Mrs. Clarke of it. She bade him go back, and endeavour to persuade him to wait; and, in order to induce him to think that she had influence with his Royal Highness to effect his business, she gave him a letter, purporting to be a letter from the Duke of York to her, acquainting her that Captain Tonyn's business was in a state of forwardness, and would be done. It was the production of this paper that induced the Major to wait for a few Gazettes, in the next of which he was appointed. There was another letter shewn him, purporting to be from the same personage; it stated, that Captain Tonyn should be appointed that night. Captain Sandon told the Colonel that he might destroy this letter; but was desired by him to destroy it on no account, as he might be called in evidence before the House As soon as Colonel Hamilton came to town, he told his honourable friend opposite, (Mr. Adam) who desired that he would go to Captain Sandon, and repeat his injunctions again, and request that he would not destroy the note. Captain Sandon, on his arrival in town, heard that he was to be examined by Mr. Lowten, and also was to see Mrs. Clarke; he stated this to the Colonel, who mentioned it to the honourable gentleman opposite, and he communicated it to him, (Mr. Perceval.) The result was, they advised Captain Sandon to avoid seeing either party, and give his evidence fairly to the House, without any previous communication. The other point that occurred to them was to explain the matter to the Duke of York, and his learned and honourable friend (Mr. Adam) undertook to mention it. They thought that, consistently with their duty as Members of Parliament, they could not refuse to make it public. *(Hear! hear!)* Colonel Hamilton had seen the note, and taken a copy of it from Captain Sandon. When it was stated to his Royal Highness, he had no recollection of having written any such note, and was of opinion that it must be a forgery; he was desirous that it should be obtained and examined. With respect to the latter note, mentioning the day that Major Tonyn was gazetted, his Royal Highness could not say, but he might have written it; had a simple *inquiry*, whether he would be gazetted or not, been made, he might

might possibly have returned an answer in the affirmative. The next day, which was Sunday, they saw Colonel Hamilton; he said that Captain Sandon was willing to come forward, but had said to him, "I am afraid you will be extremely angry with me—I have destroyed the letter, but they have forgot it." They determined to permit Captain Sandon to tell his own story, and the House must have observed that he suppressed the mention of this letter, so material to the case before them; for if it could be obtained, and proved to be a forgery, it would shew how Mrs. Clarke was in the habit of imposing; on the contrary, if it were proved to be authentic, it would tend to countenance the charges submitted to their judgment. Under these circumstances, he thought the witness should be called. He was confident that the Committee would not ascribe the delay of the mention of this circumstance to any improper motive. His honourable friend and himself had communicated it to different friends in their respective circles, but it was not from any feeling that the Committee would have a want of reliance upon themselves; he therefore proposed that Captain Sandon should be called to the bar.

MR. ADAM corroborated the statement of the right honourable gentleman.

(CAPTAIN HUXLEY SANDON *was accordingly called in, and examined by* MR. PERCEVAL.)

Q. You were examined the other day on the subject of Major Tonyn's promotion; did you on that occasion state all the particulars you recollected of that transaction?

A. To the best of my recollection I did.

Q. You did not keep back any important fact?

A. No, not that I recollect.

Q. You stated that Major Tonyn was dissatisfied with the delay; that you observed to him, that he had better wait a few days, for that you thought in all probability he would be gazetted; and, after arguing the point for a little time, he said, for two or three gazettes it does not signify; let the business go on; and if I find I am gazetted in a week or ten days, the business shall be as it originally was?

A. I believe that was what I mentioned.

Q. And that was what then passed?

A. That is what I can bring to my recollection.

Q. That is all you can bring to your recollection. A. Yes.

Q. Did it pass in those words?

A. As nearly as I can recollect.

Q. Do you recollect any of the arguments you used to persuade Major Tonyn to think that this friend of your's had an opportunity of influencing the Duke?

A. Not particularly; I told him I thought he had better wait two or three Gazettes, and most probably he would be gazetted; indeed I had reason to suppose that it would: that was all that I can recollect.

Q. Did you inform Mrs. Clarke of Mr. Tonyn's inclination to withdraw his money?

A. Yes, I did; I waited upon Mrs. Clarke, which I related before, and told her he was dissatisfied at the delay, and desired he might have his memorandum again, which was for the 500 guineas.

Q. Do you recollect what passed with Mrs. Clarke upon that?

A. Mrs. Clarke said he was a shabby fellow, but she wanted money,

ney, and begged that I would desire him to stop for a few days, and most probably he would be gazetted?

Q. That is all that you can recollect that she desired?

A. That is all that I can recollect she desired?

Q. You are quite sure of this?

A. To the best of my recollection.

Q. Recollect yourself thoroughly that you may not be taken by surprise; will you now continue to state, that, to the best of your recollection, this was all that passed?

A. I think it is all that passed, that is my opinion.

Q. Do you recollect whether there was any paper shown to Major Tonyn in the course of that conversation?

A. A paper, how do you mean?

Q. Was there any paper shewn to Major Tonyn?

A. Mrs. Clarke gave me a note that I should shew to him.

Q. Then you did not state all that passed?

A. I took her note, to say that he had better wait.

Q. A note from Mrs. Clarke?

A. Not immediately a note from Mrs. Clarke to him; she said, shew him this note, that he had better wait. He doubted that; he doubted that I had any body that I could apply to, he doubted my ability to get the situation.

Q. Then you did use some other arguments than those you stated in your evidence by the production of this note?

A. I merely said I thought this was the business. I did not mention who it was that was the interest; I said I had a paper which would shew that probably he had better wait; merely to say, that he had better wait.

Q. What was the note to say, that Major Tonyn had better wait?

A. That I cannot recollect, I cannot charge my memory what it was.

Q. Do you recollect from whom the note was

A. From Mrs. Clarke.

Q. A note from Mrs. Clarke to yourself?

A. Yes, merely to say that if he would wait a little time he would have it.

Q. The note you shewed was a note from Mrs. Clarke to yourself, to prevail upon Major Tonyn to think he had better wait?

A. Whether the note was addressed to me, or to any other person I cannot say; but it was said, you had better take this note and shew to him, and let him see, that if he will wait the thing will be carried through.

Q. Your recollection is, that it was to the effect of advising Major Tonyn to wait a little while?

A. To wait with patience for a few Gazette days.

Q. That is the substance of it?

A. That was the substance of it, as well as I remember.

Q. Did you see Mrs. Clarke write the note when you called upon her?

A. I do not recollect that I did.

Q. You are not sure that you did not?

A. I am neither sure that I did, nor that I did not, she was very impatient about the money.

Q. You have no recollection whether you saw her write the note or not? A. No.

Q. You are quite sure you received a note from her?

A. Yes, I am quite sure I received a note from her.

Q. Did you see Mrs. Clarke more than once, to communicate to her the doubts of Major Tonyn?

A. I cannot recollect, I cannot call to my memory whether I did see her again.

Q. There was not more than one note?

A. No, I had only that piece of paper which I mentioned.

Q. Do you recollect what you did with

with the note; did you give it to Major Tonyn?

A. That I do not recollect, whether I gave it to Major Tonyn or what became of the note.

Q. You really do not recollect?

A. No, I do not.

Q. Though you are not quite sure whether you saw Mrs. Clarke write the note or not, are you certain whether it was Mrs. Clarke's handwriting?

A. I cannot pretend to say, I rather think it was.

Q. Have you always stated this part of the case in the same way?

A. I believe I have, I think I have.

Q. Did you never tell any body that this note was a note in the handwriting of His Royal Highness the Duke of York?

A. Not that I recollect.

Q. Are you sure of that?

A. I am very confident of it.

Q. When did you first hear of these charges against His Royal Highness the Duke of York?

A. I landed at Plymouth, I think, on the 24th of the month, and in coming from Plymouth to Portsmouth, by accident I took up the Traveller, and there I read these charges.

Q. Do you know Colonel Hamilton?

A. Perfectly well; I have the honour of being in the regiment with him.

Q. Did you represent to Colonel Hamilton this part of the story in the way you have represented it now?

A. I certainly asked Colonel Hamilton's advice how I should act upon the business, being the Colonel of the regiment I belonged to, and I related chiefly what I knew of the business.

Q. What you have stated now?

A. Yes.

Q. Recollect yourself; did you not state to Colonel Hamilton that *the note which you shewed to* Major Tonyn was in the hand-writing of the Duke of York?

A. I do not recollect that did.

Q. Could you have done so?

A. I should imagine not.

Q. Are you sure you did not shew him the note?

A. If I had; I certainly should not have forgotten it.

Q. That is not quite an answer to the question.

A. I had not the note to shew.

Q. Did you not either give or permit Colonel Hamilton to take a copy of this very note that we are talking of?

A. Not that I know of.

Q. You surely must know that fact, whether you gave him a copy, or gave him an opportunity of taking a copy of this note?

A. I really cannot bring it to my recollection.

Q. If you had not the note in your possession, you surely would be able to bring to your recollection whether you gave him an opportunity of copying it?

A. I rather think there was something of a note.

Q. When was it that you now begin to recollect there was something of a note?

A. It must be when Colonel Hamilton took the note, or saw the note.

Q. Then he did take the note?

A. He must have seen the note of course, if he took a copy of it.

Q. You told me you thought he did not take a copy of it?

A. I cannot pretend to say whether he took a copy of it.

Q. Do you mean to say that there was or was not a note referrable upon this subject, which you shewed to Colonel Hamilton?

A. Yes, I think there was a note.

Q. Was it the same note you shewed to Major Tonyn?

A. That I do not recollect; I rather suppose it must have been the note that I did shew to Major Tonyn.

Q. Did

Q. Did you tell Colonel Hamilton that it was the same note?

A. I do not recollect that circumstance at all, whether I did tell Col. Hamilton it was the same note.

Q. Your memory, at the first time a question is put to you, is not always so perfect as it is afterwards; do you recollect whether you did represent it to Colonel Hamilton as the same note you had shewn to Major Tonyn?

A. I shewed Colonel Hamilton the note.

Q. You now recollect that there was a note, and that you shewed it to Colonel Hamilton?

A. Yes, perfectly.

Q. What is become of that note?

A. I believe the note is mislaid.

Q. When did you see it last?

A. I saw it about six days ago, I think.

Q. A note that you did not recollect to have been in existence when you began your examination, you now recollect to have been in existence six days ago. A. Yes.

Q. Have you looked for it lately?

A. Yes.

Q. When?

A. Yesterday, and the day before.

Q. This note, which you did not recollect to have been in existence?

A. It is true; could I have found it, I should have brought it.

Q. I think you were examined just six days ago?

A. Was it six? I really do not recollect the day.

Q. Did you see that note the day of your last examination?

A. It might be the day after or the day, but I cannot recollect which.

Q. You have done all you could within these few days to find it?

A. I certainly have.

Q. Are you quite sure you have not actually destroyed it?

A. That I am very confident I have not.

Q. Are you quite sure that you have not said you had destroyed it?

A. No, never did I say that I had destroyed it, to any body.

Q. Did you not tell Colonel Hamilton that you had destroyed it?

A. No.

Q. That you are positive of?

A. That I am certain of.

Q. Did Colonel Hamilton ever desire you not to destroy it?

A. Colonel Hamilton desired me to speak every thing that I knew, and to shew every thing I had.

Q. Did he not expressly desire you to copy that paper, and not to destroy it?

A. He desired me not to destroy any paper I had.

Q. Did he not expressly desire you not to destroy that paper?

A. Certainly.

Q. Did he not do that more than once?

A. I am sure I do not know; I have not more than once conversed with him.

Q. You had conversation with him at Portsmouth, had not you?

A. Yes, but he did not know that I had this paper, for I hardly knew it myself.

Q. Did not you tell him you had a paper which you might destroy if you pleased? A. No.

Q. You are quite sure of that?

A. Yes.

Q. And that he did not advise you upon that occasion not to destroy it?

A. If I had had any idea, I might have destroyed it without telling him; I told him, and he advised me not to destroy it.

Q. Where was this?

A. At Portsmouth.

Q. Had he it at Portsmouth?

A. I had not the paper with me at Portsmouth; I told him I thought there was a note in existence?

Q. Upon that occasion he did advise you not to destroy it?

A. He did advise me not to destroy it; he said, do not you destroy a single thing.

Q. When was it that Colonel Hamilton took a copy of this paper?

A. I

A. I believe it was the day after he came to town.

Q. Do you recollect where you were when he took this copy?

A. It was at the coffee-house.

Q. At what coffee-house, in what part of the town?

A. I think it is Southampton-row.

Q. When Colonel Hamilton took this copy, did he again remark to you, that you should keep this paper, and not destroy it?

A. He desired me not to destroy it.

Q. Did he at no second time desire you not to destroy the paper?

A. Certainly.

Q. Did you see Colonel Hamilton again in the course of the same day?

A. I rather think I did.

Q. Where did you see him?

A. I saw him at the British Coffee-house,

Q. What did Colonel Hamilton say to you when you saw him at the British Coffee-house?

A. It was upon regimental business I met him then.

Q. There was no reference at all to this subject?

A. Nothing to this, I do not recollect a word.

Q. Do not you recollect that he did upon that occasion also desire you not to destroy the note?

A. No, I do not recollect that.

Q. Did he not give you some advice with respect to your conduct referrable to these charges?

A. The same advice that he had given me before.

Q. Which was, that you should not destroy the paper?

A. To speak all I knew, and not destroy the paper; but this was in the morning, not at the second time when I saw him at the British Coffee-house; we came into the street together, he went one way and I another.

Q. Then nothing passed between Colonel Hamilton and you upon the subject of these charges at the British Coffee-house?

A. I do not recollect that there was.

Q. Do not you recollect Colonel Hamilton advising you not to suffer yourself to be examined upon the subject before you came to the bar of the House?

A. I believe not at that period; he told me, when I was speaking to him in the morning, you had better be quiet upon the subject, say nothing to any body upon the subject, but when you are called speak what you know, and do not destroy the paper.

Q. Do you not recollect, that at the British Coffee-house, Colonel Hamilton advised you not to submit to examination, but to speak the truth when you came here; and above all things, not to destroy that note?

A. Not at the British Coffee-house.

Q. Did he, at any place subsequent to your meeting with him at the Coffee-house in Southampton-row, in the course of that day?

A. I do not think I have seen him more than three times since I have been in London, and he has been with his regiment at Croydon.

Q. You did see him a second time that morning?

A. At the British Coffee-house.

Q. And upon the occasion of seeing him at that coffee-house, or your going from that coffee-house, did he not repeat this advice?

A. I do not recollect that he did.

Q. Do you not recollect stating to Colonel Hamilton that you would follow his advice, but that he would be very angry with you, for that since he had seen you last you had destroyed that paper?

A. Never such a conversation took place between us.

Q. Neither at that time or any other? A. No.

Q. You

Q. You never stated to Colonel Hamilton that you had destroyed that paper? A. No.

Q. Did you tell Colonel Hamilton that there was another paper that you had shewn to Major Tonyn, when the promotion was gazetted?

A. I had not another letter, I could not tell him that.

Q. It does not follow that because you had not it, you could not tell him you had had it?

A. I never had it.

Q. Did you tell him you had had it? A. No.

Q. You did not tell him you had had it, and given it to Major Tonyn?

A. No.

Q. When did you see this paper last?

A. I think it is about five or six days ago.

Q. Where?

A. In my own room.

Q. Have you seen it since you were examined last? A. No.

Q. Are you sure of that?

A. Sure of it.

Q. You stated, just now, you had seen it either the day before or the day after?

A. That was the time I saw it.

Q. Did any body else see it at that time? A. Not that I recollect.

Q. Have you shewn it to any body else besides Colonel Hamilton since you have been in town? A. No.

Q. Where did you put it when you saw it last?

A. Among some other papers which I had in my bureau.

Q. You are quite confident you have not got it now?

A. I have mislaid it somewhere.

Q. Did you carry it about with you in your pocket at any time?

A. Never.

Q. Was it with you when you were in Spain? A. No.

Q. How came it to be with you in the coffee-house in Southampton-row, if you never carried it about with you?

A. To shew Colonel Hamilton.

Q. Had you it with you when you were at the British Coffee-house?

A. No.

Q. Had you gone home between being at the coffee-house in Southampton-row and coming to the British Coffee-house? A. Yes.

Q. Where do you live?

A. In Lyon's Inn.

(*By* EARL TEMPLE.)

Q. You stated that Mrs. Clarke gave you the note in question?

A. Yes.

Q. Did you read the note when she gave it to you?

A. I believe I did.

Q. Was it a sealed note or an open note?

A. An open note.

Q. You stated that you had not the note with you abroad; where did you lodge before you went abroad?

A. At Lyon's Inn.

Q. Did you leave your papers at Lyon's Inn? A. Certainly.

Q. The note you say was not a sealed note; to whom was it directed?

A. I do not recollect that it had any address.

Q. You surely must recollect when you read the note; did you read it when Mrs. Clarke delivered it to you?

A. It is so long ago I do not recollect; it is five years ago nearly, and I cannot charge my memory whether I read it or not.

(*By* MR. CAVENDISH.)

Q. Were you not to receive some pecuniary consideration from some person or other on the gazetting of Major Tonyn?

A. Not a farthing.

Q. Why were you so anxious that Major Tonyn should wait a few days in hopes of his being gazetted?

A. To oblige Mrs. Clarke, who wanted the money exceedingly.

Q. Were you confident that he would be gazetted in a few days, from the influence of Mrs. Clarke?

A. No, I doubted her influence very much then.

(*By*

(*By* MR. WHITBREAD.)

Q. Can you by any possibility now produce the note?

A. It is not about me?

Q. Can you by any possibility now produce the note?

A. If I can possibly find it I will produce it.

Q. Is it possible that you should find it?

A. I have searched every where, and I cannot find it.

Q. Is it possible that you should find it?

A. I should hope it is possible.

Q. What is the ground of that hope?

A. Having put it among other papers in my bureau.

Q. Is it then in the bureau?

A. That I do not know.

Q. Has any body access to that bureau but yourself?

A. Now and then my wife.

Q. Do you know that that note is now in the possession of your wife or any other person?

A. Not to the best of my knowledge.

Q. Have you given that note into the possession of any body to be kept?

A. No.

Q. Have you given it into the possession of any person to be handed to another person to be kept? A. No.

Q. Is it or is it not destroyed?

A. Not to the best of my knowledge.

Q. Have you given it to any person to be destroyed?

A. Never to the best of my knowledge; I have not destroyed it.

Q. Do you know that it is destroyed?

A. I am pretty clear that it is not destroyed.

Q. If you are pretty clear that it is not destroyed, where did you put it when you last saw it?

A. Among some apers in my bureau.

Q. Have you the key of that bureau now about you?

A. No, I believe my wife has it.

Q. What makes you so clear that it is not destroyed?

A. Because I never desired it should be destroyed.

Q. When you say you never desired it should be destroyed, that answer has reference to some other person to whom that desire must have been expressed if you have desired it; whom do you mean when you refer to some other person, to whom such desire must have been expressed?

A. I know of no other person in the business.

Q. Then what do you mean by saying you never desired it should be destroyed?

A. I was asked if I had desired it should be destroyed, and I said no.

Q. You were asked whether it was destroyed.

A. And I said, not by my desire.

Q. You neither destroyed it yourself, nor desired any other person to destroy it?

A. No.

Q. Then it is in existence?

A. I should hope it is.

Q. You say that you put this paper into a bureau with other papers, when did you do that?

A. I believe it was at the time, of course the last time I saw it, which might be five or six days ago.

Q. How long was it before you were examined here before?

A. I do not recollect.

Q. In what room in your house is this bureau in which you say you put it?

A. It is in my sitting room; I have but one sitting room.

Q. Have you searched that bureau for it since?

A. I have looked for it, but could not find it.

Q. Have you examined the papers in that bureau to see whether it is among them?

A. I have a variety of papers, it may be among them; I have searched, but could not find it.

Q. Do you mean to say you have searched in that bureau for it?

A. Yes.

(*By* Sir S. Romilly.)

Q. You have said that you saw this paper six days ago, was that the same paper which was given to you by Mrs. Clarke? A. I think it was.

Q. Are you sure that it was?

A. I am very certain that it was.

Q. Did you read it six days ago?

A. No.

Q. If you did not read it six days ago, how are you sure it was the same paper you received from Mrs. Clarke?

A. It is a remarkable piece of paper, and I could not forget it.

Q. What was there remarkable in the paper but the writing on it?

A. Dirty.

Q. You have said that you saw the paper six days ago, and that you looked for it two days ago; where did you look for it two days ago?

A. Where I had supposed I had put it, in the bureau.

Q. You said that you left it six days ago with other papers in a bureau; when you looked two days ago, were the other papers there?

A. I think they are.

Q. And this paper was the only one then missing?

A. It appeared so to me.

Q. Who had the key of your bureau, between this six days ago and the two days ago?

A. Sometimes myself, sometimes my wife, sometimes it is left in the bureau.

Q. Do you think that if a messenger was sent with you now to your rooms, you could find the papers?

A. I really do not know.

Q. What do you believe?

A. I really cannot tell; I looked two or three times for it, and I could not find it two days ago; it is mislaid in some place or other.

Q. What reason had you, in the beginning of your evidence this night, for saying you did not believe such a paper had ever existed?

A. It was a very unpleasant circumstance, and I would have wished to have forgotten it.

Q. What circumstance do you mean was unpleasant?

A. The whole of the business I thought unpleasant.

Q. Why did you, having come to the bar of this House to disclose every thing else you knew upon the subject, think this circumstance particularly unpleasant?

A. I did not think this circumstance particularly, but the whole of it, as I mentioned before, unpleasant.

Q. When you shewed this note to Colonel Hamilton, and he took a copy of it, did you at that time read it?

A. No, I did not.

Q. When you first mentioned the note to Colonel Hamilton, how did you describe it?

A. Speaking of the promotion of Major Tonyn, I said there was a note in my possession that mentioned something about his promotion,

Q. By whom did you state that note to have been written?

A. I cannot take upon me to say.

Q. Can you take upon yourself to say you did not state it to have been written by the Duke of York?

A. I never saw the Duke of York's hand-writing, and therefore I could not.

Q. Can you take upon yourself to say you did not state it to have been written by the Duke of York?

A. I certainly could not.

Q. Did you? A. No, I did not.

Q. Did you state it to have been written in the name of the Duke of York? A. No.

Q. In whose name did you state it to have been written?

A. I stated no name.

Q. As you permitted Colonel Hamilton to take a copy of this note, did you yourself take a copy of it?

A. No, having the original there was no occasion.

Q. Did you think this a note of any importance?

A. No, I did not.

Q. Was the copy Colonel Hamilton took of the note a correct copy?

A. I do not know.

Q. Did

Q. Did you read the copy which Colonel Hamilton took? A. No.

Q. Was there any signature to the note?

A. To the best of my recollection, none.

Q. Did you know whose hand-writing it was? A. No.

Q. Do you know Mrs. Clarke's hand-writing?

A. Sometimes. (*A laugh.*)

Q. Was it in her hand-writing?

A. I really cannot take upon me to say.

Q. Did you ever see her write?

A. Repeatedly.

Q. Does Mrs. Clarke write in different hand-writings, or always in her own?

A. I have repeatedly had notes from Mrs. Clarke, which have been written so differently that I could not have supposed them to be the same person's writing.

Q. Have you, either before or after you communicated this note to Colonel Hamilton, had any conversation or communication with any person whatever respecting that note?

A. Not to the best of my recollection.

(By Sir James Graham.)

Q. Was any person present, six days ago and two days ago, when you were searching for this note?

A. No.

Q. You are sure there was no person in the room at the time?

A. No, except my wife, she might be in the room.

Q. Had your wife and you any conversation upon this subject?

A. Of course, a great deal, which we have every day.

Q. Did she ever state to you she had destroyed the note? A. Never.

Q. Did she ever state to you that she had delivered it to any other person? A. Never.

Q. Did you ever desire her to take it out of the bureau? A. Never.

(*By* Mr. Bathurst.)

Q. How was the copy taken?

A. Colonel Hamilton copied it.

Q. Was it compared with the original after it was copied?

A. Not that I know of.

Q. Where did you put it after it was copied?

A. Into my pocket-book.

Q. With other papers or singly?

A. Singly.

Q. Did you go home from the coffee-house? A. Immediately.

Q. How did you deposit it in the bureau?

A. By putting it into the bureau.

Q. Did you put it in a bundle with any other papers?

A. Not that I recollect.

Q. Endeavour to answer positively to questions within your own knowledge.

A. I cannot recollect whether I did or not.

Q. Have you searched all your bundles of papers as well as your loose papers?

A. Generally speaking, I think I have.

Q. How can you undertake to say it is not in your bureau, if you have not searched all your papers?

A. I think I have searched all my papers.

Q. When you met Colonel Hamilton at the British Coffee-house, you say you did not tell him it was destroyed?

A. Certainly not.

Q. Did you say any thing to him about the note?

A. I had no conversation with him upon the subject.

Q. Then you did not say to him that "they had forgot the note?"

A. No, "they forgot it."

Q. Any such words as that?

A. No.

Q. What is it makes this particular circumstance of the note so unpleasant to you?

A. It is no further unpleasant than my losing the note; if I could find it I should produce it with the greatest pleasure.

Q. Did not you say, that the reason for your not admitting that you knew

of this note, at the beginning of this examination, was, that it was an unpleasant circumstance that you wished to forget?

A. The whole of the business I conceive to be unpleasant, and I was very sorry that I had any thing to do with it.

Q. What is there particularly unpleasant in the circumstance of this note?

A. My having lost it or mislaid it.

Q. How can the circumstance of your having lost it, induce you to deny your ever having had it?

A. From the reason that it was unpleasant throughout the whole.

Q. What is the unpleasantness you conceive in confessing you have lost it, if it be true?

A. I should be very sorry that I had lost it, and I hope I shall find it.

Q. What is the unpleasantness you conceive in confessing you have lost it, if it be true?

A. That is the unpleasant part, that I have lost it.

Q. What is the unpleasant part?

A. That I have lost it.

Q. How can the circumstance of your having lost it, induce you to deny your ever having had it?

A. From the reason that it was unpleasant throughout the whole.

Q. Did you not deny, at the first part of your examination, that you had such a note?

A. I conceived that I had not the note.

Q. Were you asked, whether you had not the note now, or whether such a note had ever been in existence?

A. I was asked, in the first instance, whether the note was in existence, or whether a note was in existence, and I believe I doubted it; since which I have recollected it.

At the request of the SPEAKER, (Mr. Abbot,) the witness was ordered to withdraw.

The SPEAKER then addressed the Chairman. There can be but one course the Committee ought to follow, I therefore move, "That Capt. Huxley Sandon, in the course of his evidence, has been guilty of gross prevarication."—*(A loud cry of Hear! Hear! from all parts of the House.)*

The question was then put and carried unanimously.

The SPEAKER then moved, "That the Committee should rise, and the Chairman report."—The House resumed, and the Chairman reported.

MR. PERCEVAL moved, "That Capt. Huxley Sandon should be taken into the custody of the Serjeant at Arms for the said offence."

LORD FOLKSTONE moved as an amendment, "That he should be committed to Newgate."—*(A cry of No! No!")*

LORD FOLKSTONE observed, if it were not the wish of the right hon. gentleman opposite, (Mr. Perceval) he would withdraw his amendment. He thought, at the same time, the witness deserved the most severe punishment the House could inflict.

The SPEAKER then stated, there were two ways to proceed. He might be ordered into the custody of the Serjeant, to be kept close confined, and no person allowed to communicate with him, or simply under the inspection of the Serjeant at Arms.

MR. PERCEVAL said, the reason he did not wish to adopt the noble lord's amendment was, that if he were in custody of the Serjeant at Arms, he would be able to accompany him to his lodgings, and search for the note. It might also be necessary that he might be called before the

ommittee, however defective his evidence was, if it was made sary in the course of the examination of any other witness. He moved, "That Captain Huxley Sandon should be kept in close dy of the Serjeant at Arms, and not for any person to have access n; and that the Serjeant should be directed to bring the prisoner e the Committee of the whole House, investigating into the con- of his Royal Highness the Duke of York, when requested by the man of the Committee." Which was carried without a dissent- oice.

R. SUMNER submitted to the House the necessity of taking pos- n of the papers of the prisoner, lest his wife should destroy them.

e SPEAKER said, if any hon. member could state such a case to louse, that would bear out such a proceeding, there were prece- they could act on.

RL TEMPLE asked whether a Committee might not be appointed ke the search. He also thought his wife ought to be ordered ustody.

t. PERCEVAL stated, there was not any thing before the House justify such severity as the taking of the wife into custody. If it ecessary she might be summoned.

ne conversation then took place between Mr. Sumner, Mr. es, Earl Temple, and Mr. Perceval, which concluded with

t. PERCEVAL moving, "That one of the Serjeant at Arms' depu- vith necessary assistance, should accompany the prisoner to his igs, to search for any paper relative to Major Tonyn's business," was carried unanimously.

e Serjeant at Arms having taken in HUXLEY SANDON *into cus- by order of the House, a request him was communicated to the , that he might be brought to the which being done, he addressed use as follows:*)

ost humbly hope that this hon. will do me the honour of excu- ly prevarication; and I beg to them it is not from a bad heart, confused head. I am exceed- sorry I have done any thing to use this honourable House. I here to offer every thing in nent I possibly can, and I hope ouse will do me the honour to ie.

. *Speaker.*—If the prisoner has o offer to the House, this is his

tain Sandon.—With regard to idence? Is it to the evidence I speak?

. *Speaker.*—You will offer to the House whatever you think becomes your case and situation.

Captain Sandon.—I beg pardon of the House for my prevarication, and I beg that the House will do me the honour to excuse my extraordinary behaviour; and will be assured, that all I have, and all I know now I certainly will relate. With regard to the note in question, it is not destroyed; I have it in my possession at my chambers; if it is required I can go and fetch it, I think I can put my hands upon it: the note that you were speaking of was given me to shew Major Tonyn, and to say that his promotion would not go on unless he paid the money. I took the note, and produced it to Major Tonyn, with that message. I shewed him the note, with what I mentioned before, desiring him to wait three or four days. I believe he said, what I related to this hon. House before, that he would, in consequence of this note which I shewed him. I

brought

brought back the note, and I have it now in my possession; he was gazetted, and the 500*l.* was paid to Mrs. Clarke, and the 25*l.* to Mr. Donovan. If this honourable House would wish to see the note, I will go and fetch it. As to who wrote the note, I cannot take upon me to say: Mrs. Clarke told me it was written by the Duke of York.

Mr. Speaker.—Does the prisoner desire to add more?

Captain Sandon.—I have nothing more to say relative to that; I only humbly hope the House will do me the honour of excusing me the prevarication I made use of.

[*The prisoner was then taken from the bar; and the House determined that he should be sent in custody to his chambers to fetch the papers; and that he should be brought before the Committee of the whole House whenever they should see fit.*]

[After some time the Committee was resumed.]

(MRS. CLARKE *was called in and examined by* MR. PERCEVAL.)

Q. Do you recollect what passed between you and Captain Sandon in consequence of any application from Major Tonyn, expressing his impatience at the length of time that elapsed before he procured his appointment?

A. No; I really do not know, although I have been reading Captain Sandon's evidence just now in the room I have been in.

Q. Do you mean the evidence he gave on a former day when he was examined? A. Yes.

Q. In the 5th number of the minutes?

A. I believe it is one of the last that has been printed.

Q. You do not recollect Captain Sandon's coming to you at all upon the subject?

A. I recollect that Captain Sandon was employed by Major Tonyn; I am confident as to that.

Q. Do you recollect Captain Sandon's at any time acquainting you with Major Tonyn's impatience upon the subject?

A. No, I do not, although I have been reading about it.

Q. You do not remember any representation having been made to you by Captain Sandon, that Major Tonyn intended to withdraw the deposit he had made, in consequence of delay?

A. No, I do not recollect it; though he might have, perhaps, mentioned it.

Q. Do you recollect having sent any message to Major Tonyn by Captain Sandon?

A. I cannot recollect that I did; perhaps it is likely, but it is a long while since.

Q. Do you recollect having sent any paper to Major Tonyn by Captain Sandon?

A. What sort of paper.

Q. Any paper?

A. I could speak more positively if it was mentioned what sort of paper.

Q. Any written paper?

A. Of my own writing, or any other person's?

Q. Any writtten paper?

A. I do not recollect; I was always very cautious of giving any written paper out of my hands.

Q. As far as you recollect you have not sent any written paper to Major Tonyn?

A. I do not think I did, but I cannot speak positively.

Q. As you were so cautious in putting any paper out of your hands, would you not have recollected that circumstance if it had occurred?

A. If he meant to insinuate that there was any writing of the Duke of York's, I never did in my life to any one.

Q. You are quite sure you never committed any paper to Captain Sandon, which you represented as the writing of the Duke of York?

A. I am quite certain, not to any

one

one whatever, except lately, and once to Mr. Manners a few notes.

Q. If you had sent such a paper by Captain Sandon to Major Tonyn, is it possible that you could have forgotten it?

A. No, I should not have forgotten any thing of that sort belonging to the Duke of York.

Q. Are you acquainted with Mrs. Hovenden?

A. I was.

(*By* MR. FREEMAN.)

Q. Do you recollect at any time having received a note from the Duke of York upon the subject of Major Tonyn?

A. No, I do not; there was no occasion for any notes to pass, because I was in the habit of seeing his Royal Highness every day, except he was in the country, and that happened perhaps only for a week or ten days in one year.

Q. Did you ever hear Captain Sandon say, that he had shewn a note to Major Tonyn, which purported to be a note of his Royal Highness the Duke of York?

A. No.

Q. You are not aware of any note, purporting to be a note of the Duke of York, being shewn Major Tonyn by Captain Sandon?

A. No, I am quite clear nothing of the sort was ever mentioned to me before.

(*By* LORD FOLKSTONE.)

Q. Do you mean to state, that you did not give any note to Captain Sandon which might appear to be a note of the Duke of York?

A. No.

Q. You stated that you sent some notes to Mr. Manners; do you mean to state that those were in the hand-writing of the Duke of York?

A. Certainly I do.

Q. Did you or did you not send any note to Captain Sandon?

A. I never recollect sending him any note, but more especially any note of the Duke of York's, because I should have been afraid of entrusting it to him.

[The following Questions and Answers were read.—"Q. As you were so cautious in putting any papers out of your hands, would you have recollected that circumstance if it had occurred? A. If he meant to insinuate that there was any writing of the Duke of York's, I never did in my life to any one.—Q. You are quite sure you never committed any paper to Captain Sandon, which you represented as the writing of the Duke of York? A. I am quite certain not to any one whatever, except lately, and once to Mr. Manners a few notes."]

Q. How does it occur to you to think that Captain Sandon might have insinuated any such thing?

A. Because I think he might have insinuated any thing; I think he is very equal to it.

Q. If Captain Sandon has presented any note to Major Tonyn, purporting to be a note written by the Duke of York, and given to him by you, is it true?

A. I do not think it is, and I am almost sure it is not; perhaps he has written one himself.

(*By* ALDERMAN COMBE.)

Q. During the negociation with Major Tonyn for the majority, was any representation made to you by Captain Sandon, that Major Tonyn was tired of waiting, and threatened to withdraw the money he had deposited?

A. I do not recollect it.

Q. Did you ever express to Captain Sandon a wish on your part that Major Tonyn would not be impatient, because you wanted the money which you were to receive upon his success?

A. No, that would be the very reason I should wish him to be impatient.

Q. In the last interview you had with

with Captain Sandon upon the subject of Major Tonyn, did he write any thing in your presence?

A. It is impossible for me to say, it is so long since.

Q. Do you recollect Captain Sandon having read any thing to you in that interview?

A. No, I do not.

Q. Do you recollect a paper being produced before you by Captain Sandon at that interview?

A. I do not.

(By Sir George Hill.)

Q. Did you ever express, here or any where else, that Major Tonyn was a shabby fellow for his impatience in wishing to withdraw his note?

A. No, I thought him a perfect gentleman when Mr. Donovan introduced him to me, and wished him to be made a Lieutenant-Colonel previous to his going to America; I fancy he is in America now.

(*By* Mr. Brand.)

Q. Had Captain Sandon any and what interest in the success of this negociation respecting Major Tonyn?

A. Yes, I believe he effected it with me; there was no promotion in the 48th regiment, the Duke of York had stopped it, I think, for two years, and the Captain was very eager to get out of it on that account.

Q. Was Captain Sandon to have any per centage or proportion of the profit arising from the success of the negociation, and payment to be made upon Major Tonyn's success in his application for promotion?

A. I believe that he was, for I have understood from a great many persons, that Major Tonyn was a very generous sort of a man, and Captain Sandon would not have interested himself so much as he did for him without some reward.

Q. Did you ever understand from *Captain Sandon* himself that he *expected any such* advantage?

A. Yes, I did, and from every one that he mentioned to me.

Q. Before you came to the bar of this House, had you any information of the substance of the examination of Captain Sandon before the Committee to-night?

A. Not the least.

[The following Question and Answer were read..."Q. As you were so cautious in putting any paper out of your hands, would you not have recollected that circumstance if it had occurred? A. If he meant to insinuate that there was any writing of the Duke of York's, I never did in my life to any one."]

Q. Why did you suppose that the person proposing that question meant to refer to any writing of the Duke of York?

A. From what one of the gentlemen said to me.

Q. Do you mean any question which has been put to you since you came to the Bar?

A. Certainly.

Q. Which question?

A. The questions from the Chancellor of the Exchequer.

Q. Did you give Captain Sandon any part of the profit you were to receive from the promotion of Major Tonyn?

A. I do not recollect that I did, but he used to give himself, I believe, from Colonel French's money.

Q. You did not give him any yourself?

A. I do not recollect that I did.

Q. You have said, that you understood from Captain Sandon, that he was to derive some profit from the promotion of Major Tonyn; state what Captain Sandon said to you upon that subject?

A. Only that my 500*l.* would be clear, and that where he had his from would be from the other party, what emolument he was to get by it.

[*Mr.* Reid *being called in.*]

Mrs. Clarke.—Is there any precedent, may I ask, for having two witnesses at the Bar of this House at one time?

Chairman.—I apprehend the Committee will call to the Bar what witnesses they please.

(Mr. John Reid *was called in, and examined by* Mr. Perceval.)

Q. Do you know the witness at the Bar? A. Yes, I do.

Q. Did she ever come to your house under the name of Mrs. Dowler?

A. By no other name.

Q. Is the witness at the Bar the person whom you represented as having been frequently at your house with Mr. Dowler? A. Yes.

Mrs. Clarke.—Before Mr. Reid leaves the place, I beg leave to say, that I never said I was Mrs. Dowler; he might put what construction he thought proper upon it; it was very proper that he did, perhaps.

(To Mr. Reid.)—Did she ever answer to the name of Mrs. Dowler in your presence?

A. To my servants, I have no doubt that was her answer; upon all occasions whenever I spoke to her, I always, I suppose, said "Madam," but if I mentioned any name it was Mrs. Dowler.

Q. Did you ever hear her addressed as Mrs. Dowler in your presence?

A. Yes, I have.

Q. Did she answer to that address? A. Yes.

Q. Did you ever hear her answer to the name of Clarke?

A. I never heard her called by any other name but that of Mrs. Dowler; I never heard her called by the name of Clarke.

Q. Did you believe her name to be Dowler?

A. I had not a doubt of it.

Q. And you believed her to be married to *Mr. Dowler?*

A. I had not any doubt of that.

Q. Did nothing ever occur to induce you to entertain a doubt of that? A. Never.

Q. You always believed the witness at the Bar to be Mrs. Dowler, and the wife of Mr. Dowler?

A. Yes, I mentioned that before, and I mentioned a very particular circumstance why I thought so.

Q. Have you ever heard Mrs. Clarke say that her name was Dowler?

A. I never heard her mention her name at all.

Q. Would you not have been afraid of the credit of your house if you had called her by any other name?

A. Good God! I should not have thought of any thing of the kind.

Q. Did any letters ever come to Mrs. Clarke by any name whatsoever, while she was at your house?

A. Not to my knowledge; they never came under my inspection, they came to the bar.

Q. By whom did you ever hear her called Mrs. Dowler?

A. By all those that spoke to her there; when they came to my house, if they asked for her at all, they asked for Mrs. Dowler.

Q. Did Mr. Dowler ever call her Mrs. Dowler in your presence?

A. Upon my word I could not take upon me to swear it, but I always understood it to be so, and I never had any doubt about it.

Q. By whom did you understand it to be so?

A. By Mr. Dowler himself calling her Mrs. Dowler.

(*By* Mr. Wardle.)

Q. Did Mr. Dowler and that lady always come there together?

A. No.

Q. Did Mr. Dowler lodge there at any time? A. Yes.

Q. And that lady came occasionally? A. Yes.

Mrs. Clarke.—That was when the bailiffs were after me.

(To Mr. Reid.)—Were there many inquiries made at your house in the name of Mrs. Dowler?

A. I seldom answer any inquiries at all, I leave my wife to do it; and it is the business of the bar maid.

[*Mr. Reid was directed to withdraw.*]

Mrs. Clarke.—May I speak a word, I merely wish to ask a question of some of the Crown Lawyers.

[The Chairman informed the witness that could not be permitted.]

(To Mrs. Clarke.)—Do you know Mrs. Hovenden?

A. Yes, I do.

Q. Was it at the period of time when she was under the protection of Mr. Dowler, brother to the Mr. Dowler who has been examined at the Bar?

A. He has no brother.

Q. Were you in the habits of visiting the Taylor family when they lived at Bayswater?

A. Yes.

Q. Do you know Mrs. Taylor very well? A. Yes.

Q. Do you know Mr. Taylor?

A. Yes.

Q. Did you know there was a Mr. Taylor?

A. Yes, Miss Taylor's father.

Q. Did you ever see Mrs. Taylor write?

A. No, I cannot say that I did.

Q. You never have been in the habits of corresponding with her?

A. No, only with Miss Taylor, and Mr. Dowler does not know Mrs. Hovenden.

Q. Do you know a Mr. Chance, a Stock-broker?

A. No, I do not.

Q. Do not you know that the Mr. Taylor you speak of was Mr. Chance?

A. No, I know he is not; I know he is Mr. Taylor.

Q. Do you recollect a circumstance about two or three years ago, of the Miss Taylor, who was examined at this Bar, being about to be married to a Mr. Knowles?

A. No, I do not; I know there was a young man paid his addresses to her, I believe a physician, but I did not know that there was any marriage intended; I fancied she had not liked him.

Q. Do you not know that did not go on, on account of her name not being Taylor?

A. No, I do not, for I know her name is Taylor, and she has five brothers in His Majesty's service, who bear the same name; three in the Army, and two in the Navy.

Q. Do you know the age of Miss Taylor? A. No.

Q. Do you suppose her more than five or six and twenty?

A. I cannot tell any thing about her age.

Q. Do you know that Mrs. Taylor is a widow, and not a married woman?

A. No, I do not, because I know her husband.

Q. Did you keep a man-cook at the time you lived in Gloucester-place? A. Yes.

Q. Did you keep more than one?

A. The man generally used to bring his assistant with him; it is a regular thing that when you have a man-cook, that an assistant comes with him.

Q. You did not keep a man-cook by the year?

A. No, they staid a very short time with me, any one; his Royal Highness is very difficult.

[*The witness was directed to withdraw.*]

(MR. WARDLE *was then asked the following questions by* MR. BERESFORD.)

Q. Have you placed upon the table of this Committee all the correspondence you have had with Mrs. Clarke, relative to the accusations you have brought forward?

A. No, certainly not.

Q. Have

Q. Have you any objection so to do?

A. Yes, most assuredly, I have a very great objection.

Q. Have you any objection to lay upon the table all those letters which you took from Mrs. Clarke?

A. Those letters are already all laid upon the table; and I do assure the honourable gentleman, I do not know that I have a letter of Mrs. Clarke's at this moment by me.

(MRS. ALICE CORRI *was next called in, and examined.)*

Q. Are you married to Mr. Corri the music-master?

A. Yes.

Q. How long have you been married?

A. As near as I can recollect, five years next April.

Q. Do you know Mrs. Clarke?

A. Yes.

Q. Do you recollect a conversation that passed between Mrs. Clarke and your husband, yourself being present, with regard to certain papers which Mrs. Clarke expressed great anxiety to have burnt?

A. Very little.

Q. Relate what passed upon that occasion, as far as you recollect.

A. I recollect Mrs Clarke telling Mr. Corri, she was just going to him, that he came very apropos, for that there had been something satirically inserted in the newspapers, something relative to a female clerk; I cannot recollect the whole of it, not thinking that I should be called here; and she begged, if there were any letters, Mr. Corri would immediately burn them.

Q. Were you employed in burning them?

A. Yes, Mr. Corri gave them to me.

Q. Did you actually destroy them all?

A. Not then, I did not destroy any of them at the time; I laid them in a box, and never thought of them *till just before this proceeding began; I think last Saturday* fortnight or three weeks, Mr. Antoni Corri, son of Mr. Corri, brought a newspaper to us, stating that his father would be called to the House of Commons; it immediately then came to my mind, that I had those letters by me, and he advised me to burn them; and he said, I had better not say any thing either to his father or any body else, but to burn them; which I did two days afterwards.

Q. What motive did Mrs. Clarke assign for wishing to have those letters destroyed?

A. I really do not know; I cannot say; I do not recollect it.

Q. Did she not express a fear with respect to the Duke of York?

A. I have something faint on my memory, but I could not say it positively; for the conversation was directed to Mr. Corri, and I overheard a word or two; I never thought of being called here, and therefore did not pay particular attention to it; I have a very faint idea, but cannot recollect exactly.

Q. Did any thing pass as to the apprehension of the Duke's anger?

A. I have some recollection, but I cannot positively say; it was something of the kind.

Q. Did you ever peruse the letters that were in your possession?

A. I looked them slightly over before I burnt them.

Q. Are you sufficiently acquainted with the contents of the letters to speak positively as to the subject?

A. I cannot recollect one word that was in them, for I was in a very great hurry, and very much afraid lest Mr. Corri should know that I had disobeyed his command in not burning the letters sooner; and I burnt them as quick as possible.

[*The witness was directed to withdraw.*]

(*The House then waited a considerable time for the arrival of Captain* HUXLEY SANDON, *who being brought in, in the custody of the Serjeant at Arms, was examined by* MR. PERCEVAL.)

Q. Hav

Q. Have you found the paper?

A. I have.

Q. Have you got it with you?

A. The messenger has it, and every other paper that I had that was connected with it.

(GEORGE WHITTAM, *Esq. the messenger was then examined by the Committee.*)

Q. Where did you find this paper?

A. I found this letter in Captain Sandon's bureau; this is the letter, I understand, I was sent in search of particularly.

Q. Have you any other paper?

A. There were two other letters of Mrs. Clarke's in the bureau, which Captain Sandon put into my hands.

Q. Any other letters any where else?

A. Here is a bundle of letters of Mrs. Clarke's principally; they were in this brown paper, and in Captain Sandon's bed-room; they were taken out of the paper, and I sealed them up.

[*Mr. Whittam was directed to withdraw.*]

(*To Captain Sandon.*)—Q. Look at that paper, and see whether it is the paper you shewed to Major Tonyn?

A. I think it is.

Q. Is that the paper you received from Mrs. Clarke?

A. Yes, it is.

Q. You received it from her own hands?

A. Yes, she gave it me.

Q. Was any one present at the time?

A. I believe not.

[The Note was read.]

"I have just received Your Note, and Tonyn's business shall remain as it is——God bless you."

Addressed,
"George Farquhar, Esq."

Q. Did not Colonel Hamilton give you the advice which he had given you before, either at the British Coffee-house, or in the street near the British Coffee-house, on your meeting on the Saturday?

A. I do not recollect that he mentioned any thing in the street; in the Coffee-house he could not, for there were others in the same box; he said, Will you come out, and we went out.

Q. Did he not when you went out?

A. We went out together.

Q. In the street did he not say something to you upon the subject?

A. I do not recollect it.

Q. Did he not desire you not to destroy the papers, and did you not say that he would be very angry with you, for that you had destroyed it?

A. Never, to my recollection.

Q. What are the other papers which you have given in?

A. They are letters from Mrs. Clarke to me.

Q. Are they on the subject of Major Tonyn's business?

A. Not precisely upon Major Tonyn's business; upon the levy, and Major Tonyn's business.

Q. What is the reason you denied having possession of this letter?

A. I can urge nothing upon my behalf; and I hope this honourable House will do me the favour to excuse it.

Q. Were you directed by any person to do so? A. No.

Q. What motive had you for so doing?

A. I had no motive whatever; I am ashamed of myself for my conduct; I could have none.

Q. When you delivered that letter

to Major Tonyn, did you deliver it open or sealed?

A. It was open.

Q. You have stated that you considered this to be a paper of no importance; if you considered it to be a paper of no importance, assign any possible motive you could have for taking so much pains to conceal its existence?

A. I can urge nothing.

Q. You must perceive there is a great deal of difference between being able to urge an excuse, and being able to assign a reason; you are not desired to give an excuse, but to assign any probable reason, because it appears that some reason you must have had?

A. I can urge no reason whatever for it.

Q. Were not you conscious that you were telling a falsehood?

A. I have already acknowledged that I am ashamed of what I have done.

Q. Then do you expect the Committee to believe that you came hither and told a falsehood deliberately, which you knew to be such at the time, without having any motive for so doing?

A. I had no motive whatever for doing so, but I again beg the House to do me the favour to excuse me for telling them that falsehood.

Q. When Mrs. Clarke gave you that letter, did she tell you it was written by his Royal Highness the Duke of York?

A. I do not exactly recollect whether she said it was written by him, but she said it came from him.

Q. Do you know the hand-writing of the Duke of York?

A. I never saw it in my life to my recollection.

Q. Did Mrs. Clarke at any time express any anxiety to recover the letter she had entrusted to you?

A. No, she never mentioned it, and I never heard any thing more about it.

Q. *Are you acquainted with the hand-writing of Mrs. Clarke?*

A. Yes.

Q. Does it appear to you that the note in question is the hand-writing of Mrs. Clarke?

A. No, it does not.

Q. Have you had any communication with any other person on the subject of the production or non-production of that letter in this place?

A. None.

Q. Who is George Farquhar, Esq. to whom the letter is directed?

A. I really have no knowledge who he is.

Q. You stated before that Mrs. Clarke was used to write in different hands, do you now assert that?

A. In the letters that are there you will find a vast variation in the hand.

Q. Did you ever see Mrs. Clarke write?

A. Repeatedly.

Q. Should you know her hand-writing if you saw it?

A. Yes, I think I should.

Q. Do you or do you not know who wrote that letter?

A. No, I really do not.

Q. In the course of your long acquaintance with Mrs. Clarke, and your communication with her upon business, did she ever, upon any other occasion, communicate to you a note from the Duke of York?

A. Never.

Q. She never communicated a note from the Duke of York on any business but this?

A. Never.

Q. Can you recollect what she said upon communicating this note; whether it was communicated with any caution to take care of it, or not to communicate it to others?

A. No, I cannot recollect any thing of the circumstance.

Q. Did Mrs. Clarke, or any other person, ever desire you to destroy the letter in question?

A. Never.

Q. You have stated that you have seen Mrs. Clarke write different hands, did you ever see her write different hands? A. No.

Q. The

Q. Then what do you mean to say she writes in various hands?

A. In the letters addressed to me, which are now before the House, there is a variety in the hands.

[*The witness was taken from the bar.*]

(MRS. CLARKE *was called in; and the note delivered in by the last witness being shewn to her, she was examined by* MR. PERCEVAL *as follows:*)

Q. Do you recollect ever seeing that paper before?

A. I suppose I must have seen it before, for it is his Royal Highness's writing.

Q. What reason have you to suppose you have seen it before?

A. I do not know how it could have got into that man's possession unless I gave it to him, and it was a direction I used very often to get from his Royal Highness, "George Farquhar, Esq."

Q. Do you now recollect having given to Captain Sandon a letter upon this subject?

A. No, I do not, nor do I recollect giving him that; but I think I must have given it to him, because it must have been in my possession first.

Q. Do you always write the same kind of hand?

A. I cannot exactly say how I write, I generally write in a great hurry.

[*Two bills being shewn to the witness.*] A. Those are the two bills for which Captain Thompson was arrested the other day.

Q. Are they both your hand-writing?

A. Yes, guiding my mother's hand; they were both before the Court Martial.

Q. Were they both, guiding your mother's hand?

A. If you will read the minutes of the Court Martial, you will see.

Q. Were they both, guiding your mother's hand?

A. Yes, I think they were.

Q. *Did your mother hold the pen and you guide her hand, when you wrote both those?*

A. It was the general way in which I had done with her, for these four years.

Q. Did you in point of fact, on that occasion, guide your mother's hand when she held the pen?

A. Yes, I did.

Q. And in both of them?

A. Yes, I believe I did, it was quite her sanction.

Q. I do not ask whether you had the authority of your mother to draw these bills in your mother's name, but whether you can now recollect that your mother held the pen while you guided her hand in writing both those drafts?

A. What would be the insinuation if she did not?

Q. You must answer the question.

A. Then I must answer to the best of my recollection: my mother was in the room at each time, and Mr. Manners; you think, perhaps, there is a difference in the hand-writing.

Q. You must answer the question.

A. I am not quite positive, but I dare say I did, for I knew she was privy to both, and was in the room when both were done; but there was something irregular on the back about the indorsement; perhaps you wish to make it appear a forgery.

Q. I do not aim at any such object, but wish to know whether you can take upon yourself to state that those bills were both written with your mother's hand, you guiding it?

A. I am positive as to one.

Q. Which?

A. I cannot say which; if I had been at all terrified about the bills from any thing improper in them, I should have got them out of the way.

Q. Do you write the same kind of hand when you are guiding your mother's hand as when you write your own?

A. Very nearly, only that I do not write so quick when I am with her; I have done it five hundred times; she cannot write without a guide, not lately; it must be my own writ-

ing, because she has very little use of her hand, therefore it is my writing, and not her's.

Q. Does not the fact of your having your mother's hand in your own, while guiding the pen, make a difference in the appearance of the letter?

A. It is very likely that it may, I never attended to it; it has generally been something short where her hand was used, such as signing her name, or half a dozen words.

Q. Look at these, and see if both are not written in that way with the same hand?

A. I really cannot say; I do not see much difference between them; I should rather think this one was the one, if it was either; if I did write it alone, this dated July, that is the quickest writing, it seems as if it was done quicker than the other.

Q. Do you mean to say you do not see much difference between the writing of those two notes?

A. It does not strike me there is a great deal of difference; I have seen the notes before, and I believe made nearly the same observations; and if I was at all conscious of any thing improper in them, I certainly should have paid them before, for I dare say I have had it in my power.

Q. Do you ever write different hands?

A. No, I do not know that I do, I do not pay any attention to it; other people are the best judges.

Q. Is the indorsement of the note that is indorsed, in your hand-writing?

A. No, it was done the same; my mother was by, and I guided her hand.

Q. That is guided too?

A. Yes, it is upon the same bill, and Mr. Manners was by both times, and I believe he was not much better acquainted with the bill drawing up than ourselves, which made something incorrect here; nor was Captain Thomson, to whom he gave them as paymaster.

Q. Have you ever imitated other hand-writings?

A. No; you do not mean that I imitated the Duke of York's.

Q. Have you ever imitated any hand-writing?

A. No, not to make any use of it; I might, with two or three women, laughing, or any thing in that way, imitate a hand, but not to make any use of it whatever; not to send it out ever.

Q. You have done it, to see whether you could do it?

A. I do not know that I have done it, but it is very often, when women are writing, that they might say, Come you write a hand, and see whether it is like any one's hand; I have done it lately; several of us were sitting together, and we were playing at some kind of game; perhaps there might be some bad construction put upon that.

Q. What have you done?

A. I have said, "Is not this like such a sort of hand," and, "that like such a sort of hand."

Q. What sort of hands were you imitating at that time, when you asked, "Whether it was like this sort of hand" or "that sort of hand?"

A. I do not know; it is very ridiculous to mention here I think. There is a game you play at, you put down a man's name and then a woman's, and where they are, and what they are doing, and then make a long roll of it.

Q. Is it a part of the game to imitate the hand-writing of the man whose name you put down?

A. No, but it is very likely when you have written a man's name to say, "It is very like the way in which he writes it himself;" or, when speaking of a woman, "It is very like the way in which she writes her's," if they should be friends whom you name.

Q. Is it any part of the skill in that game to write the name as nearly resembling the hand-writing of the person whose name it is as possible?

A. No

A. No, I should think not; I wrote, without knowing it, something in the office here, that I was told was very like the writing of a person here.

Q. Whose writing did they say it was like?

A. They said it was like the Speaker's hand.

Q. Is there any other person's handwriting that you have resembled?

A. It was accident, I never saw his writing.

Q. Have you never told any body that you could imitate the handwriting of any one?

A. No, I do not recollect that I have; there was a story went about that I had forged for 2000*l.* with the Duke of York's signature, "Frederick," but I never did, I never signed his name in my life, except when he has been there, and we have been trying, together, how near I could write to him, and he to me.

Q. You have tried sometimes to see how near you could write to the Duke of York?

A. Yes, but I never did it but when he was by.

Q. Could you write very near him when you tried?

A. I do not know, he is the best judge of that; I believe if he was asked, he would not say I had ever made use of his name in any writing.

Q. In point of fact, when you did attempt to write like him, did you succeed?

A. I am sure I cannot tell.

Q. You know his hand-writing?

A. Yes, he fancied it was a great deal like his signed Frederick; that was all I ever attempted about it.

Q. Do you know a person of the name of Town?

A. Yes, I do, a velvet-painter.

Q. Did he ever instruct you in velvet-painting?

A. Yes, he did.

Q. *Do not* you recollect having *told him, that* you thought you *probably might* make considerable proficiency in that art, as you made great proficiency in writing, and copying hand-writings?

A. No, I never told him any such thing; you will recollect he is a Jew: it is ridiculous. *(A laugh.)*

Q. You are quite sure you never said any such thing?

A. No, I should never have said such a thing to such a man.

Q. Did you ever write in his presence?

A. I do not know; he used to be with me a good deal in the morning when I was learning the velvet-painting, and it is very probable I might have been writing to many persons when he was there; besides, he was to have got a loan for the Duke of York from Jew King, but his Royal Highness would not have any thing to do with him when he found they were Jews, when Town went to him, but I do not know that it was Jew King at the time; he told me it was a regular gentleman.

Q. Did you ever, in a playing way, attempt to imitate the handwriting of the Duke of York?

A. I do not think I did to him.

Q. Not to Mr. Town?

A. No.

Q. Have you to any one else?

A. I do not think I have, but he has seen a great many ladies, when he has been with me in a morning, and if he listened to any of our conversation, and made remarks upon it three or four years afterwards, I cannot say any thing to such a thing; the only question is, to ascertain whether I ever did make use of the Duke of York's name; if I had I am sure it would have been against me long before this; perhaps he might have stolen something that might have been lying about the house.

Q. That Town might?

A. Yes, he might; very likely

Q. Some of this writing, perhaps?

A. He might have taken papers away, perhaps, and thought they might have been the Duke of York's; I believe he had a note of introduc-

tion

tion from me to the Duke before he had seen these people about the money.

Q. Did you, in his presence, ever imitate any other person's hand-writing but the Duke's?

A. I do not know that I ever did at all in his presence.

Q. But he may have been in the room when you did this with other ladies, and have overheard you?

A. Perhaps he might; he has been there three or four hours of a morning.

Q. He may have been in the room when you were with other ladies, and have overheard the conversation which passed between yourself and your visitors?

A. Perhaps he might; I did not stick to the painting, and perhaps in the morning persons might call upon me.

[The note being again shewn to the witness.]

Q. Look at the seal of that note; do you know that seal?

A. It is the Duke of York's private seal; I dare say I have many like it at home.

Q. What is the inscription upon it?

A. Never absent.

Q. Is the motto in French or English?

A. In French.

Q. Who is George Farquhar?

A. There is no such person in existence, I believe; it was one of my brothers; I lost two in the navy, and that was one of them.

Q. You do not recollect to have received that letter which you state to be in the hand-writing of the Duke of York?

A. No, but I must have received it because it is addressed to me, and it is his Royal Highness's writing; I do not think he ever wrote to any other person under the name of George Farquhar but me.

Q. Do you recollect having applied at any time to his Royal Highness, to suspend the promotion of Major Tonyn?

A. *I do not recollect that I did, it is a long while ago; if it is meant* that I wrote that note of his Royal Highness's, I dare say he will not deny it if it is shewn to him; I have seals that will exactly match with it on other letters of his own.

Q. Do you recollect any application to his Royal Highness which could have given rise to an answer similar to that contained in the note which has been read?

A. No, I do not recollect any thing about it.

Q. You do not understand to what the contents of that note allude?

A. No, I do not; for I have quite forgotten it; I think Captain Sandon must have taken it out of the house without my permission.

Q. Did his Royal Highness at any time leave that private seal in your possession?

A. No; he has that and another that he used to use.

Q. You said that you had several impressions of the same seal in your possession; are those impressions unbroken? A. No, certainly not.

Q. Are you positive you have no impression of the Duke's seal unbroken in your possession?

A. I do not know; I should rather think not; I was always inclined to read what he sent to me.

Q. Are you positive that you have not any impression of the Duke's seal unbroken in your possession?

A. Do you mean if I had torn the letter, and not broken the seal?

Q. It is not necessary to break the seal to open the letter?

A. I dare say I have many not broken, that you might very easily distinguish to be the same seal as that.

Q. Did the Duke wear this seal to his watch?

A. I do not know, I am sure; I believe not.

Q. Is the reason you have for guiding your mother's hand when she writes, your mother's hand being so unsteady that she cannot write without somebody guiding her hand?

A. Yes; she cannot hold her hand steady at all.

Q. You

Q. You believe that one of those bills was written by your mother holding the pen, and you guiding her hand?

A. I guided altogether entirely; in fact it is my own writing entirely whenever I make use of her hand.

Q. The whole body of the bill as well as the signature?

A. Yes; it is my writing more than my mother's.

Q. She held the pen, and you guided her hand?

A. I do not know whether she held the pen, but I am in the habit of doing these sort of things when I want my mother's name, but I never did any thing without her sanction at all.

Q. That is not the question at all.

A. I do not know what you might insinuate; the bills have been already before the Court Martial, and I dare say they made as many observations as possible upon them, and if I had been at all alarmed I should not have allowed them to continue so long; but I believe this has nothing to do with the question before the House.

Q. Do you wish this Committee to understand that you wrote these bills, or your mother?

A. You may say I wrote them.

Q. And her hand was not guided by you?

A. If her hand is in mine, and I guide, I write it, and not her.

Q. When you guide your mother's hand, your mother has the pen in her hand, has she not?

A. Yes.

Q. And you only move her hand and guide it?

A. How do you know but what I move the pen; if she takes the pen up, I should take it down lower, perhaps.

Q I do not know it, I wish to know it.

A. Then you shall see us write at any time.

Q. *Did you hold* the pen or not?

A. *I forget; there are the bills, and I forget all about them.*

Q. Then you holding the pen, you wish the Committee to understand that in so far you wrote both these?

A. As you please.

[The Chairman directed the witness to answer the question.]

A. I have answered it; that is all difference of opinion.

Q. Then you holding the pen, you wish the Committee to understand, that in so far you wrote both these?

A. I fancy I said I did not write them both.

Q. Did you in point of fact write them both, or only one, and did your mother write the other?

A. I tell you it is impossible for her to write.

Q. To what do you ascribe the marked difference in the hand-writing of these two bills?

A. They do not strike me as being very different, but I certainly cannot write so very quick when I am writing with my mother's hands as with my own.

Q. Do you mean to say you do not see any difference in the hand-writing and signature of these two bills?

A. No, if you were to see the difference in my letters, if you see a dozen of my letters you will see them all different; you would see a difference in each.

Q. If you guide your mother's hand, that hand being so unsteady, must there not be some unsteadiness in what is written under that guidance?

A. No, it is entirely my own writing, although I guide her hand.

Q. Then both these bills are entirely your hand-writing?

A. If you please to understand that, you may; but I had the use of my mother's hand, and they are my writing then.

Q. You have stated, the signature to the bill of the 20th of May, signed "E. Farquhar;" was your mother's writing under the guidance of her hand, and that that explains the difference in the hand to the signature of the two bills?

A. I did not say it explained the difference in the writing.

Q. You have stated, that the indorsement of the bill which is indorsed was made by your mother, you guiding her hand?

A. Yes.

Q. Look at the bills again.

A. It is no use looking at them, I have looked at them before.

Q. Look at them again; look at the signature of the bill of the 20th of May, and at the signature of the bill of the 15th of July, and at the indorsement of that bill, and endeavour to state, if you can, whether they are all written by the same hand?

A. They are all written by the same hand, because they are written by mine and by my mother's.

Q. Can you give no other explanation of the difference in the appearance in that writing?

A. No, I cannot.

Q. Did Major Tonyn lodge in the hands of a third person 500 guineas, 500*l.* of which, after he was gazetted, went to yourself, and 25*l.* to Mr. Donovan?

A. I did not state any such thing, for I did not know what Mr. Donovan had; I only stated what I had myself.

Q. What had you yourself?

A. What I said before.

Q. Was that 500*l.*?

A. Yes.

Q. Was it not natural for you, as you knew you were to receive 500*l.* to hurry the gazetting of Major Tonyn as much as you could?

A. Not if there were any circumstances against it.

Q. Did you not wish that Major Tonyn should be gazetted, in order that you might get the 500*l.*?

A. In the end I did.

Q. If you had written any letters to the Duke of York on the subject, with that wish in your mind, would it not have been a letter to urge the gazetting of Major Tonyn?

A. I do not recollect writing him any letter, nor do I recollect having any answer about it in writing.

Q. If you had written to the Duke of York upon the subject, would you not have been more likely to have written to hasten the gazetting of Major Tonyn than to delay it?

A. I do not know.

[*The witness was directed to withdraw.*]

Mr Perceval conceived it was the wish of the House, that the best evidence that could be found ought to be brought forward to prove whether the note was the writing of his Royal Highness or not. He thought Colonel Gordon was the best evidence that could be produced, and it being impossible that his attendance could be had that night, he moved, "That the Committee should rise, and the Chairman report progress."—Agreed to.

The House resumed, and the Chairman reported that the Serjeant had accompanied the prisoner to his chambers, and had laid before the Committee, several papers which he found there.

Mr. Perceval then moved, "That they should be referred to a Select Committee, to investigate if any and which of them related to the business before the Committee of the whole House." Agreed to; and the following Committee was appointed: Mr. Leach, Mr. Wardle, Mr. Brand, Mr. Croker, and Mr. C. W. Wynne.

Mr. Perceval moved, "That Captain Huxley Saudon, then in the custody of the Serjeant at Arms, should be committed to Newgate," which was carried unanimously.

Adjourned at Four o'clock.

TENTH DAY.

FEBRUARY 17th, 1809.

MR. LEACH brought up the Report of the Committee, to whom were referred the letters produced the preceding night by Capt. Huxley Sandon. It was as follows:

"THE SELECT COMMITTEE, appointed to inspect certain Letters, which have been delivered in to the Committee of the Whole House, appointed to investigate the Conduct of his Royal Highness the DUKE of YORK, the Commander in Chief, with regard to Promotions, Exchanges, and Appointments to Commissions in the Army, and Staff of the Army, and in raising Levies for the Army; and to report to the House such of them, or such parts of them, as may be relevant to the Matters referred to the Consideration of the said Committee of the Whole House;—Have agreed to report as follows:

"Your Committee have inspected the several Letters referred to them by the House; and are of Opinion, that all the said Letters may be relevant to the Matters in question."

The letters were referred to the Committee of the whole House, appointed to inquire into the conduct of his Royal Highness the Duke of York, into which Committee Lord Folkstone moved that the House should then resolve itself.

MR. BERESFORD, previous to the Speaker leaving the Chair, desired to call the attention of the House to a misrepresentation in a Morning Print, of what had fallen from him the night before, and which of course was to be considered as a breach of the privileges of that House. If he were at any time to make use of words hurtful to the feelings of any gentleman, he would never do so without provocation; and having used them, he would not be the person lightly to retract them; but in this instance, words had been put into his mouth which had never fallen from him, and which were highly injurious to the hon. gentleman (Mr. Wardle), to whom they were supposed to be addressed. The paper he alluded to was *The Morning Post* of this day, in which he had been made to say, "he could not refrain from animadverting on the conduct of the hon. member, which he considered as unhandsome and ungentlemanly." He appealed to the recollection of the House, whether those or any such words had fallen from him; and suggested whether the Printer should not be brought to the Bar of the House, in custody of the Serjeant, to answer for the breach of privilege.

The SPEAKER pointed out the regular course of proceeding to be, where any member complained of such a breach of privilege, for

or the member so complaining to deliver in the paper at the table, nd then the House would, if called upon, order the Printer to ttend at their bar upon a future day. If the House chose it, they ight adopt this course in the present instance.

The Morning Post of this day was accordingly handed in to the Clerk of the House, who proceeded to read the following paragraph:—

"Mr. Beresford, addressing himself to Mr. Wardle, said, e could not refrain from animadverting on several parts of the on. member's conduct, in reference to him, from the commencement of this inquiry. He considered it unhandsome and ungentlemanly."

Mr. Beresford then proceeded to state, that though this was ertainly a breach of privilege, yet he had no wish to inflict unishment for the offence; his principal object being, that the ublic might know him to be incapable of using such expressions.

The Speaker observed, that there was a course of proceeding hich the House sometimes adopted, when a complaint, such as lie present, was made; but without being accompanied by any ish for punishment, which was to adjourn the consideration of he complaint to some future day, in order to afford an opportunity f seeing whether the party so offending should persist in the ffence or retract; and the House might, if they saw proper, dopt that mode in the present instance. It was accordingly noved, "That the further consideration of the complaint be adourned to Monday se'nnight."

Lord Folkstone seconded the motion, and took the opportunity of declaring, that no such words as those imputed to the on. member had passed; if, therefore, his object were to justify imself to the world from the imputation of having used them, hat purpose had been fully and satisfactorily answered, by the very andid, handsome, and manly manner, in which he had disavowd them.

Another hon. member expressed his opinion, that, from the requency of offences of this nature, they should be more attended o than they were, in order to put a stop to the repetition.

Mr. Perceval thought, that if the hon. member declined ressing the matter, it would be difficult for the House to interere. If, indeed, an offence were formally complained of, the House could not refuse taking cognizance of it, and punishing the offender. He could not, however, but remark, that, where the practice, which had prevailed for so many years, of allowing their proceedings to go forth into the world, was permitted, it must not be supposed, without attributing to the persons employed in reporting them more talents than usually fell to the lot of man, but that mistakes must sometimes happen; and where such occurred, without any imputation of design or wilful misrepresentation, he considered it best to pass them by without notice. He had this morning put into his hand a paper, in which there was a most complete misrepresentation of several passages of what fell

from

from him last night. In particular it had been stated, that when Mr. Adam came to his house, Captain Sandon had presumed to follow him. As he had never used such an expression, he could not conceive how he had been so much misunderstood; but as he could not form a notion of any wilful error in the statement, he certainly did not consider it a subject deserving of notice or reprehension. With these sentiments on the subject, he heartily concurred in the motion for deferring the consideration of the complaint.

Mr. W. Smith did not think the consideration of an offence depended on the degree of pressure with which the complaint of it might be made; because, though it might not be congenial to the feelings of a gentleman to urge it, the offence itself might be of such a nature as to call upon the House to punish it; although he did not dissent from the present motion, because in this instance he believed the offence to be involuntary. But he certainly did think, that if the person complained of were to be called to their Bar and reprimanded, neither would he have just cause of complaint on the ground of severity, nor could any one say, that the liberty of the press, of which he was always the warmest advocate, was invaded. In this mode of proceeding much lenity would be shewn, for he entirely agreed with the sentiment expressed by the right hon. gentleman (Mr. Perceval), that where mistakes appeared to be purely unintentional, they should be passed over.

Mr. Yorke was of opinion, that the discipline of the House, with respect to their privileges, had of late become much too lax, and that hence arose many of the evils they had to complain of. It had been said, that allowance should be made for the want of intention to misrepresent; but he admitted of no such excuse; because, where any one undertook to report what was said, he was responsible for his conduct. He therefore was of opinion, that whenever a complaint was brought before them, the offender should be brought to their Bar, and punishment inflicted to the degree his offence might seem to merit. He did not think any new sanctions were wanted in order to guard their privileges, nor did he wish to see any alteration in their practice, unless they should be forced to it by the repetition of offences against them.

Mr. Whitbread considered the evils complained of as comparatively nothing, when put in opposition to the benefits resulting from the practice of letting the world know the whole of their proceedings. In the present instance, the evil was cured by the conduct of the hon. member, in so handsomely disavowing the words imputed to him.—He, therefore, differed from those who thought punishment necessary; on the contrary, he thought what was by some called licentiousness, was not without its uses, and that no shackles could be imposed but what would be likely to produce in the end, that burst which ignorance was likely to create. He had sat many years in that House, and he had scarcely ever known an instance in which their privileges had been exerted in opposition to publications, in which much harm had not been done. They certainly

certainly could not accuse the law officers of being remiss in prosecuting in cases of libel, nor could it be said, that punishment did not follow to a great degree of severity. He wished to draw the attention of the right hon. gentleman opposite him (Mr. Perceval), to an error which had gone forth, respecting what had fallen from him yesterday; to correct which, he thought it would be well if he were to have his narrative entered on their minutes; he therefore threw this out for consideration.

Mr. Yorke rose to explain a misconception. The hon. gentleman had supposed him to say that new shackles were necessary to guard their privileges, but he denied having used such an expression; on the contrary, he had expressly asserted, that no new sanctions were wanted, in order to guard their privileges.

Mr. Whitbread was sorry if he had misconceived him, but he had certainly understood him to have said so.

Mr. Bathurst contended that these were no times for any one to advocate the cause of licentiousness. There was no one less inclined to stretch the arm of the law than he was, but they were the best friends to the liberty of the press who looked with a jealous eye to its licentiousness; and when offences existed, they should either use the law as it stood, or, in case of its failure, make new securities for their protection.

Mr. Perceval, in reply to the suggestions of the hon. member (Mr. Whitbread), said, he had no objection whatever to his narrative appearing on their minutes, but it was merely an opening of the case, in order to explain the evidence he was about to call. It was true he had not called Colonel Hamilton, but that was because Captain Sandon had, after he had recovered from his prevarication, stated every thing Colonel Hamilton was to prove. There was no statement on their minutes of the charges which had been brought forward; and so in like manner he conceived what he had stated should not appear there.

The Attorney General considered the proposition as entirely new; no such thing had been ever done; and the hon. member who brought forward the charges, might equally be called on to have his statement entered on their minutes. But there were topics taken up by the hon. gentleman (Mr. Whitbread), which called for observation. He had said, the law officers were not remiss in prosecuting. This phrase would carry a very different meaning, when sent forth to the public, than what was conveyed to the House. For his part, he understood him to mean by it, that they were more than commendably diligent; but he would ask whether, comparing the number of prosecutions with that of the publications calling for prosecutions, they bore any proportion? The hon. gentleman had also alluded to the severity of punishments in cases of libel. The learned judges, whose province it was, would, he was sure, be well able to defend themselves, when properly called on; but, he must say, it was not fair to have insinuations sent forth, under the sanction of his name. He was sure the hon. *gentleman would* not name the instances to which he alluded.

alluded, as he had no doubt but the judgments would stand investigation; but he should be distinct in his charge, who the parties were, and how the judgments were severe; and above all, those to whom he alluded, should have the opportunity of answering distinctly to this charge. He apologized for making these observations, but if he were to remain silent, he might be accused of having acquiesced.

MR. WHITBREAD declared, he was ready to explain what was the judgment he complained of, if called upon.

After a few observations from Mr. Canning, who was called to order by Lord Folkstone, the conversation was ended by Mr. Wardle declaring he was not aware of any improper expressions having been used by the hon. member who had brought forward the business.

The motion was then put and carried, that the further consideration of the complainant be postponed till Monday se'nnight.

MR. CHARLES ADAMS observed, that upon reading some parts of the minutes already printed, he could not help thinking it would be important to examine some of Mrs. Clarke's servants, as to whether or not they had seen the list alluded to in her testimony, purporting to be a list of persons noted down for promotion, or for whom places were to be solicited through the Duke of York's influence.—This he thought necessary, in order to ascertain whether the Duke of York occasionally saw that list.

MR. WHITBREAD thought further evidence upon this point unnecessary, in the present stage of the proceedings, the more especially, as it appeared Mrs. Clarke only exhibited that list at night, when going to bed, and then occasionally added names to it.

MR. CHARLES ADAMS said, he should propose some further questions to Mrs. Clarke, upon this point, when she should make her appearance this evening.

On the motion of LORD FOLKSTONE, the House then went into a Committee.

The CHAIRMAN stated, that he had received a letter in the morning, signed "John P. T. Tucker, Adjutant General's Office, Edinburgh," and dated the 8th instant; which if it were the pleasure of the House, he should read. He accordingly read the letter.

SIR ARTHUR WELLESLEY bore testimony to the merits of Lieut. George Tucker, who was lately drowned in the *Primrose*. Since that officer's name had been mentioned, he could not help being inclined to think that some improper modes had been taken by some individuals to communicate with him (Lieut. Tucker) at the time he was about to be promoted. Some of the army brokers, hearing of the probability of his being promoted, endeavoured to induce him to give money, in order that that fact might be produced through some of the channels to this House. Had it been necessary, he should have thought it proper to bring evidence to the Bar of the House to prove that fact, and to shew that Lieut. George

George Tucker procured his promotions entirely through his services, and that he did not pay for any of them.

Earl Temple moved, "That, in justice to the memory of the gallant officer, and to the writer of the letter in question, it should be entered upon the minutes of their proceedings."

Lord Folkstone begged leave to add his testimony to that of the right hon. officer opposite, as to Lieut. Tucker's services. He believed that the name *Tucker* had been only introduced through mistake, and although not entered upon the minutes, had gone forth to the public, instead of the name of *Trotter*, and therefore he deemed the entering of that letter unnecessary.

General Stewart also added his testimony as to the merits of the officer in question, and supported the motion for entering the letter in the minutes.

Sir Thomas Turton could not agree to it, as the letter itself was by no means evidence, the hand-writing not being proved at the bar.

Mr. Perceval said, the Committee had already received several letters as evidence in their proceedings, without any proof of hand-writing, such as those of the Baroness Nolleken; and, therefore, as they had received letters that might injure individuals, he could not see any good ground for not receiving others that contradicted any statements made throughout the evidence.

Mr. Sturges Bourne supported the motion; but the matter ended by Earl Temple saying, he should defer it till he could prove the hand-writing.

Mr. Wardle then stated, that he had received a letter from Miss Taylor, setting forth that Mrs. Hovenden had committed various mistakes as to her, in her testimony; which letter, if the Committee thought proper, he should read. He accordingly did read it, and it produced some discussion, relative to the best mode of rectifying those mistakes, and justifying the character of the lady in question; but it was thought that to enter all the letters that might be written by individuals conceiving themselves injured, would be endless; and, therefore, the matter was dropped.

Mr. Perceval then stated, that he should proceed to call evidence as to the short note produced last night, and said to be of the hand-writing of the Duke of York.

(*The first witness called was* Colonel Gordon, *who was examined by* Mr. Perceval.)

Q. I need not ask you whether you are acquainted with the Duke of York's hand-writing?

A. I certainly am.

Q. Look at that paper [*the short note spoken to by Mrs. Clarke last night*] the outside and the inside [*Colonel Gordon looked at the letter*]?

A. I have formed my opinion upon it.

Q. State to the Committee your opinion?

A. The utmost I can say is, that it bears a very strong resemblance to his Royal Highness's hand-writing, but whether it is or is not I cannot take upon myself to say.

Q. You speak to the inside of the note, when you make that observation?

A. To both inside ond outside.

Q. Have you any reason to doubt that it is the Duke's hand-writing?

A. I do not think that I can, consistently with my own honour, give a stronger opinion than that which I have already given.

(By Lord Folkstone.)

Q. Are those letters the hand-writing of the Duke of York?

A. I think that is the hand-writing of the Duke of York [*a letter respecting General Clavering*]; I am of the same opinion with respect to the other.

Q. I observed that you gave your opinion with respect to the first letter, on a comparison with other papers in your possession, and that you did not compare the two last letters that were shewn to you with those other papers; for what reason did you make the comparison in the one case and not in the other?

A. The papers with which I compared the first scrap of writing, were letters that I received from the Duke of York in 1804, 1805, 1806, 1807, and 1808, which convinced me that the Duke of York varies very little in his hand-writing; I thought it necessary to make a very accurate comparison of the first paper, when so small a scrap of writing was produced to me, and I found that that scrap of writing, as I said before, bore a strong resemblance to the Duke of York's hand-writing; in looking over the two last letters, each of which contained two or three pages of writing, I thought it quite unnecessary to make any such comparison.

Q. Was the opinion which you formed with respect to that writing on that scrap of paper, formed in consequence of your knowledge of the Duke of York's writing, or merely from the comparison which you made?

A. From both.

(By Mr. Martin.)

Q. If a letter of the same hand-writing as that which you call the scrap of paper, had been addressed to you, and received by you, should you have hesitated to act upon it?

A. I observe that scrap of paper had no signature affixed to it, I therefore would not act upon it.

(By Mr. Crevy.)

Q. If that scrap of paper had had the Duke of York's signature affixed to it, would you have acted upon it?

A. If that scrap of paper had had the signature of the Duke of York's affixed to it, I would not have acted upon it?

(By Mr. Martin.)

Q. If, the same hand in which that scrap of paper is written, there had been the signature of Frederick, of the same hand-writing, would you have acted upon it?

A. Unless I saw the hand-writing in which Frederick was written, I cannot possibly answer that question.

[*The witness was directed to withdraw.*]

(General Brownrigg *called in and examined by* Mr. Perceval.)

Q. Look at that paper which will be put into your hand [*the short note*], and say, whether you believe it to be the writing of the Duke of York. Have you formed any opinion of that hand-writing?

A. I think it resembles the Duke of York's hand-writing, but I cannot positively say it is his hand-writing, [*The letter respecting General Clavering being shewn to General Brownrigg*] This is certainly like the Duke of York's hand-writing, that I have now looked at; but I do not think the address is; the address is not like His Royal Highness's writing.

Q. Do you believe it is his hand-writing?

A. It is so like his hand-writing, that I should conclude it is; I speak of the letter, dated Sandgate, August 24, 1804. [*The other letter produced by Mrs. Clarke was shewn to General Brownrigg*]

igg] This letter is also like the
f York's writing.
What is your opinion upon it;
believe that to be his writing?
do believe it to be his hand-
; it is so like it, that I con-
t to be his writing; and this
lated the 4th of August 1805,
t all like his hand-writing; I
not suppose it is.
ook at the short note; look
af; what is your opinion of
what do you believe respecting

My opinion is, that it is not so
e Duke of York's hand-writing
thers; it does not resemble the
of York's hand-writing in the
egree that the others do; there
ly does appear to me a simila-
tween the Duke's writing and
et I cannot speak so positively
its being his writing as I do to
ers; I cannot speak so deci-

s the direction of that note
r less like the Duke of York's
vriting than the direction of the
notes you speak to?
think it is more like it; I
he address appears to be writ-
the same hand as the inside; the
s is written in a better hand, it
ten fairer and more distinctly.

(By Mr. Martin.)

From your observation of the
writing of the short note, do you
you not believe it to be the
writing of His Royal Highness?
I certainly do not believe it to
hand-writing of the Duke of
that is to say, I could not swear
the Duke of York's hand-writ-

(By Mr. C. Adams.)

If the Duke of York's signature
een to that note, would you have
upon it?
I really think I should, looking
cursorily, as I should in reading a
note from the Duke of York, and
ut having any suspicion that it
could not be the Duke of York's
hand-writing, I very probably should
have acted upon it if his signature
had been to it.

(*By* Lord Folkstone.)

Q. In this case, what gave you any
suspicion that that could not be the
Duke of York's writing?

A. Because I happened to be in the
House of Commons last night, and
heard this note made a matter of
question in the House; that is my rea-
son.

Q. Are the Committee to under-
stand, that you do not believe that
note to be the hand-writing of the
Duke of York?

A. I can only repeat what I have
before said in answer to the same ques-
tion; I think I have already answered
that question in my last answer but
one.

[*The witness was directed to with-
draw.*]

(Colonel Gordon *was again called in and examined by* Lord Folk-
stone.)

Q. Did you ever hear that there
was any suspicion raised respecting
the small note which was lately put
into your hand, whether it was the
Duke of York's hand-writing or not,
before you were examined at the Bar
upon that subject?

A. Certainly I have.

Q. When and where?

A. The best way for me to pro-
ceed is to tell the thing exactly as it
happened from the beginning to the
end. I think last Saturday week
about half past ten at night, the Duke
of York and Mr. Adam called at my
house; I had been extremely fa-
tigued and was going to bed; I was
undressed; I went in my undress
into the room where were the Duke of
York and Mr. Adam; the first word
that was said to me was by the Duke
of York, and I think the words were
these; "Here is a very extraordinary
business; here is a forgery." Upon
which Mr. Adam related to me, that
Captain

Captain Sandon and Colonel Hamilton had come to town; that Colonel Hamilton had called upon him, and told him, that he had seen a note of the Duke of York's in the possession of Captain Sandon. After some further conversation, more general, upon this point and others connected with it, it was determined that I should desire Colonel Hamilton to call at the Horse Guards the next day at one o'clock, to meet Mr. Adam; I did so, and the next day at one o'clock the messenger brought word to me that Colonel Hamilton was waiting in the usual waiting-room; Mr. Adam went out to him, and that is all that I can speak as to the note, of my own knowledge.

Q. Do you mean to state, that the suspicion which you had heard of, respecting this note, was an expression of the Duke of York respecting a forgery.

A. Certainly.

Q. How do you know that this is the same note to which the Duke of York alluded?

A. I really do not know any thing about it, I never heard of any other note.

Q. Have you ever heard of that note from that time to this?

A. Yes, I have. In continuation of what passed on Sunday, I think, I may state that I went the next day, the Monday or Tuesday, to the Chancellor of the Exchequer, and I had further conversation upon this very note, but I think merely recapitulation of what I have already stated to this Committee.

Q. Have you had any other conversation about this note since that time, with any person?

A. I have carefully avoided any conversation upon it; but I think the other evening, three or four evenings ago, waiting in the room above stairs with Colonel Hamilton, some conversation, very general, arose upon the subject of this note; but it was so very general, so very loose, (for, as I have mentioned before, I carefully avoided interfering in it) that I can only bring to my recollection that some conversation did arise.

Q. Have you had any conversation whatever, respecting that note, but this which you have mentioned?

A. I think I mentioned the subject in strict confidence to General Alexander Hope, and also to General Brownrigg, perhaps to Mr. William Harrison, with whom I communicate confidentially; beyond that, I do not think that I have.

Q. What was it that you stated to those gentlemen?

A. I must have stated to them pretty nearly the very same words that I have stated to this Committee, as nearly as I can recollect, nor more nor less.

Q. Did you see any copy of this note?

A. Yes, I did.

Q. When was that?

A. I think it was the same evening that the Duke of York and Mr. Adam called upon me.

Q. In whose possession was it, Mr. Adam's, or the Duke of York's?

A. I think it was in the possession of Mr. Adam.

Q. Have you had any conversation with the Duke of York upon that subject since that evening?

A. Yes, I have.

Q. When was that?

A. I have had frequent conversations with him upon it.

Q. Detail those conversations as nearly as you can?

A. I think a detail of those conversations would be little more than repetition of the Duke of York's assertion, that he thought the thing was a forgery.

Q. When was the last conversation you had with the Duke of York upon that subject?

A. I will repeat the last conversation, I think, which took place this morning about half past ten o'clock, when I went to the Duke of York at my usual hour of business; the first word the Duke of York said to me this morning was, As you are to be called upon to answer certain questions in the House

is night, I will not speak to you upon the subject. I said, Sir, een told that I am summoned upon the subject of the note, the hand-writing, there there-be no difficulty upon the part loyal Highness in making any ication to me that you think ual. The Duke of York, I aid, I can only state what I have stated to you before, I have no knowledge of the thing, and I believe it to be a forgery.

Q. Was that likewise the substance of the other frequent conversations you have had with the Duke of York upon this subject?

A. Certainly the substance; and, as nearly as I can recollect; the words.

n the motion of MR. WINDHAM the witness withdrew, and ht hon. gentleman observed, that under the circumstances in Colonel Gordon stood, he doubted the propriety of putting uestionss to him, standing as he did in a confidential situ-

WHITBREAD—" I must say a few words in vindication of ble friend (Lord Folkstone.) I apprehend that he has a per-ght to put every question that appears to bear upon the sub-id the more especially, as Colonel Gordon was a witness not by him, but by the right hon. gentleman opposite (Mr. Per-; and surely if he called a witness that could not be sub-to cross interrogatories, he had better not have called him Whatever may be the situation of the witness with the Duke, I apprehend it is not such a confidential situation, as clude those questions, in a case of such importance as the t one."

PERCEVAL agreed, that the noble lord had a right to put uestions as appeared to him to be proper and applicable to bject; and as the Committee could not stop them, they must pend upon his own feelings.

NDREW DICKIE *was then called examined by* MR. PERCEVAL.)

ou are a clerk at Messrs. ? A. I am.

Did you ever see his Royal ss the Duke of York write? have seen him sign his name mes, " Frederick."

Did you ever see him write ng beyond his name? have seen him frank a letter. *two letters being shewn to the*] Q. Do you think yourself ited with his Royal High-and, to be able to form any tory opinion upon the letters o you?

bears a similarity; but with-signature being to it, I can ak to its being his Royal High-and-writing.

[*The witness was ordered to withdraw without being shewn the short note, as it appeared that his evidence could not go so far as to identify it.*]

(MAJOR GENERAL ALEX. HOPE, *a Member of the House, attending in his place; the short note was shewn to him, and he was examined by the Committee as follows:*)

Q. Have you observed that note?

A. I have; it appears to me like the hand-writing of the Duke of York; but to state whether it really is or is not, is what I cannot undertake to say.

[*The letter dated Sandgate being shewn to General Hope*] I apply the same answer to that as to the note, only that I certainly should say that I could speak more positively, I think, to that than to the note; but I must

I must always qualify what I say, that it is a shade of difference only, I could not say positively that it is or is not: but certainly the letter appears to strike my mind more forcibly as the hand-writing of the Duke of York than the note.

[*The other letter being shewn to General Hope*] I make the same answer as to the second letter.

(*By* MR. WESTERN.)

Q. Does that shade of difference, which you state, give you a degree of belief that the letters are the hand-writing of the Duke of York, preferably to that of the note, arise from the quantity of writing there is in the letter, or from any difference in the hand-writing of the note and the letter?

A. I think it very possible it may arise from the quantity of the writing; it strikes me, it seems more like the writing of his Royal Highness; I do not feel able, certainly, to state the comparison between the characters of the note and letters; I spoke from a general impression, as it struck my eye.

(GENERAL BROWNRIGG *was again called in, and the following question was put to him by* MR. GREENOUGH.)

Q. If you had not been in the House of Commons last night, should you have had any doubt of that short note being the Duke of York's hand-writing?

A. I certainly should, because I do not think that it is very like the Duke's writing.

[*The witness was directed to withdraw. The note being shewn to* MR. ADAM, *he was then examined by* MR. PERCEVAL.]

Q. What is your opinion of the hand-writing of that note?

A. I think it is like the Duke of York's hand-writing; but I cannot positively say more than that. [*The letters being shewn to Mr. Adam.*] The letter, dated Sandgate, is, in my opinion, in the hand-writing of the Duke of York; I entertain the same opinion with regard to this letter, dated from Weymouth, as with respect to the last.

Q. Do you mean that you speak more positively to the letters than you do to the note? I do.

(*By* MR. WESTERN.)

Q. Have you ever been told by the Duke of York, that the note at which you first looked was a forgery?

A. Colonel Gordon, in his testimony upon that subject, has given a very correct description of what I heard the Duke of York say.

Q. Did the Duke of York represent to you that note in the same light in which he represented it to Colonel Gordon, namely, that it was a forgery?

A. When I first made the communication to the Duke of York, on Saturday evening the 4th February, he declared without hesitation that he had no recollection whatever of such a note, and that it must be a forgery. When I went with him to Mr. Perceval's that evening, he made an asseveration precisely to the same effect; and afterwards when I went from Mr. Perceval's to Colonel Gordon's, he made the asseveration at Colonel Gordon's, which Colonel Gordon has already given in evidence

(*By* LORD FOLKSTONE.)

Q. Are those the only occasions on which the Duke of York has informed you that that note was a forgery?

A. Of course, I have had repeated conversations with his Royal Highness upon the matter now depending before the House, and in the course of those conversations, without being able to specify the particular time, his Royal Highness has held the same language.

Q. You

Q. You have stated, that you thought the writing of the note was like the writing of the Duke of York; do you perceive in the formation of the character of that note, any thing unlike the writing of the Duke of York?

A. I cannot say that in the formation of the character, I perceive any thing unlike the writing of the Duke of York; but from the shortness of the note, and from there not being a possibility of correcting judgment with respect to hand-writing, by the general appearance of it, which takes place in a long letter, I am incapable of speaking with the same positiveness with respect to that, as with respect to the letters.

(MR. ANDREW DICKIE *was again called in, and examined by* MR. SMITH.)

Q. What situation do you hold in Messrs. Coutts' house?

A. Principal clerk.

Q. Are you not, or were you not in the habit lately of accepting bills for that house?

A. I have been for a considerable time.

Q. Are you not therefore in the habit of observing with great attention upon the hand-writing of individuals who are connected with Messrs. Coutts and Company?

A. I am in general, but there is a clerk in our house who is more conversant in the signatures of the different customers, who examines the signatures before the bills are brought to me to accept.

Q. Is it not occasionally your business to ascertain the genuineness of hand-writing? A. No.

Q. Have you ever seen any draft filled up as well as signed, by the Commander in Chief?

A. I have seen drafts signed by the Commander in Chief, but as to the filling up, I cannot pretend to say.

[*The note and the letters being* NO. 16. *shewn to the witness.*] Q. Do you see any difference in the hand-writing of that note and those two letters, and if you do, what is that difference?

A. There seems a little difference in the note; it strikes me that it is not so like the Duke's, I think, as the others.

Q. Explain in what that difference consists?

A. Being smaller, and not like the others in point of letter-writing.

Q. Did you put in the words "not so like the Duke's"?

A. What I meant by that is this; two letters were laid before me, and I am asked whether I conceive them to be the Duke's writing or not; I conceive the note not to be so much like.

Q. Did you insert the words "not so like the Duke's"?

A. I beg to alter that; not so like as those two letters which were shewn to me, purporting to be the Duke's.

Q. Have you not stated, that you had never seen so much even as a draft filled up by the Duke?

A. To my knowledge, I have seen his Royal Highness's signature, but I never saw his Royal Highness fill up a draft; but I am not the cashier of Messrs. Coutts' house.

(*By* LORD HENNIKER.)

Q. Do you conceive yourself competent to say, except in the article of signature, whether the letter is like the Duke's hand-writing or not?

A. I am not sufficiently conversant in his Royal Highness's letter hand-writing.

[*The witness was directed to withdraw.*]

(MR. BENJAMIN TOWN *called in, and examined by* MR. PERCEVAL.)

Q. Where do you live?

A. In Bond-street.

Q. In what business are you?

A. An artist.

Q. In what line?

A. A Velvet Painter.

Q. Are you acquainted with Mrs. Clarke? A. Yes.

Q. Were you acquainted with her when she lived in Gloucester-place?

A. Yes.

Q. Do you ever recollect having heard her say any thing respecting hand-writing. A. Yes.

Q. Upon what occasion, and what was it that she said?

A. In the course of conversation she observed she could forge the Duke's name, and she had done it, and she shewed it me upon a piece of blank paper, and I could not tell the difference between the Duke's and her own.

Q. What led her to make this observation?

A. That I cannot recollect.

Q. What was your business with her at the time of this conversation?

A. I gave her a lesson that morning in the art of painting.

Q. Have you attended her for any time, to teach her the art of painting? A. Yes.

Q. Did the observation at all arise out of the painting and the lesson that you were giving?

A. I do not rightly comprehend you.

Q. Did the observation she made to you arise out of the subject that was before you, the lesson you were giving?

A. No, there was writing on the table, some papers.

Q. What led her to make that observation?

A. That I cannot recollect.

Q. Was that all that she said?

A. That was all.

Q. Did you ever see her imitating any hand-writing?

A. None but that I have mentioned before; she shewed me the Duke's writing, which she said it was; I cannot say whether it was or not.

Q. Did she imitate it in your presence? A. She did.

Q. Had she been drawing at that time? A. Yes.

Q. Did she say any thing about her proficiency in the art? A. No.

Q. Do you mean that she only introduced the observation, that she could forge the Duke of York's handwriting, and immediately imitated it in your presence?

A. She did.

Q. Did you make any observation upon it? A. Yes.

Q. What observation did you make?

A. That it was a serious matter.

Q. What did she say upon that, or did she say any thing?

A. She laughed.

Q. Did she say any thing?

A. She did not.

(*By* Sir T. Turton.)

Q. You say Mrs. Clarke produced the signature of his Royal Highness the Duke of York; did you ever see any where else the signature of the Duke of York? A. No.

Q. Was the signature at the bottom of a letter, or was it by itself?

A. That which was shewn for the Duke's was on a square piece of paper; what it was I cannot say that was written.

Q. Did you read any part of that writing? A. I did not.

Q. Are you sure that the signature which you state to be the signature of the Duke of York, was not written by Mrs. Clarke?

A. It was shewn to me for the Duke's, I cannot say whether she wrote it or not.

(*By* Lord Folkstone.)

Q. What was the word or words which you believe to be the Duke's signature, which Mrs. Clarke imitated?

A. She observed that the Duke signed his name three ways, Frederick, York, and Albany; and which of the three I cannot positively say, it was one of those three I am certain. (*A laugh.*)

Q. You are not certain whether it was Frederick, whether it was York, or whether it was Albany?

A. I cannot positively say, but it was one of them.

Q. What

Q. What branch of painting do you profess to teach?

A. Flowers, landscapes, figures, and fruit.

Q. In your instructions to your pupils, do you ever teach them to draw letters in any particular way, with flourishes and flowers, or any thing of that kind? A. Yes, I do.

Q. Should you know the writing, if you were to see it, which resembled that which Mrs. Clarke wrote in imitation of the Duke of York's?

A. No, I should not. The one that she copied from, the one that she shewed me, that she said was the Duke's, I should know if I was to see it.

Q. Did Mrs. Clarke state that she could imitate the Duke of York's signature only, or his hand-writing in general?

A. She only observed his signature.

(*By* Mr. Barham.)

Q. From the attention to formation of letters in regard to your art, you probably can speak to what sort of hand it was that was shewn to you as the Duke of York's; was it a small hand, or a large one?

A. It was a small hand.

Q. Was it a flourishing hand, or a plain one? A. A plain hand.

Q. You mentioned, I think, that Mrs. Clarke told you she could imitate the Duke of York's hand-writing?

A. She did, and she shewed it me on a square piece of paper.

Q. The word was "imitate?"

A. No, "forge."

Q. Were you much in the confidence of Mrs. Clarke? A. No.

Q. You were not at all in the confidence of Mrs. Clarke when she shewed you how she could forge the Duke's hand? A. No.

(*By* Mr. Perceval.)

Q. To whom did you first communicate this fact, of having heard Mrs. Clarke make use of these expressions?

A. Lady Haggerstone.

Q. At what time?

A. She was taking a lesson.

Q. How long ago?

A. I look upon it to be about three weeks or more; I cannot say to the time positively; I look upon it to be three weeks, or rather better.

Q. Had any body applied to you to ask whether you could give this information, or did you, of your own accord, voluntarily mention it first to Lady Haggerstone?

A. It was in the course of conversation; she was observing one thing and the other, and she brought up the Duke's affair, the business concerning the Duke; and I suppose Lady Haggerstone had mentioned it somewhere, and therefore I was called up to give evidence.

Q. Is it the impression upon your mind, that Mrs. Clarke had great facility in imitating hand-writing?

A. Yes, the Duke's hand, that that was shewn to me for the Duke's.

Q. You have said, that in your presence, Mrs. Clarke, upon a piece of paper, copied the signature, as you supposed, of the Duke of York, which was so exactly similar, that you could not tell the difference; do you mean to say, you conceived Mrs. Clarke was equal to imitating hand-writings with great ease?

A. She copied that extremely well, as I thought: I never saw her copy any other writing.

(*By* Mr. Bathurst.)

Q. How long is it since you gave any lesson to Mrs. Clarke the last time?

A. I cannot say, without referring to my book.

Q. Did you and she part on good terms?

A. She is in my debt.

Q. Was there ever any quarrel or animosity between you upon any subject? A. None whatever.

Q. Did you never question her about paying your debt? A. Yes.

Q. Had you ever any dispute upon that subject.

A. No

A. None whatever.

Q. Has she paid you all that is due to you? A. No.

Q. Had you any conversation with Mrs. Clarke about a loan of money? A. Yes.

Q. State the substance of that conversation to the Committee?

A. She said the Duke wished a sum of money; she begged of me to inquire of Mr. Abraham Goldsmid, if he would; he said he was no money-lender.

Q. Did you ever say that a person of the name of Jew King was to lend him money?

A. She requested of me to go to Jew King.

[*The witness was directed to withdraw.*]

EARL TEMPLE said, that a gentleman was then in attendance who could prove the hand-writing of Colonel Tucker, and requested that he might be called.

(MR. JAMES BREWER *was accordingly called in, and a letter being shewn to the witness, he was asked the following questions:*)

Q. Do you know that to be the hand-writing of Lieutenant-Colonel John Tucker?

A. It is.

Q. You have seen him write?

A. Very frequently.

[The letter from Colonel Tucker to the Chairman of the Committee was then read.]

(Public.)

"Adjutant General's Office,
Edinburgh, February 12th, 1809

"SIR,

"Having perceived, with considerable regret, that the name of my lamented brother, who was lately lost in his Majesty's sloop Primrose, has been brought forward by Mrs. Clarke, in her examination before the Honourable House of Commons; I trust you will excuse my addressing you with a view to remove any impression from the public, that either *he* or *myself* have obtained our promotion, at any time through the means of *undue* or *improper influence;* for which purpose I hope I may be permitted to state *facts,* without incurring the imputation of presumption or vanity. My brother's military career was commenced in 1790 in India, where he served during the campaign of Marquis Cornwallis in that country: he subsequently served in Egypt, as Major of Brigade to Lt General Sir David Baird, through whose friendship and good opinion he obtained the *brevet rank* which he held in the servcie: that of *Major* was conferred upon him in consequence of his situation as *Deputy Adjutant General* to the forces employed under Sir David Baird, at the capture of the Cape of Good Hope; and that of Lt Colonel was obtained for him by the same excellent officer, on their return from the Cape. He had obtained an *effective majority* a few weeks prior to his melancholy and lamented fate, having served as *Ass^t^ Adj^t^ Genl* in *Zealand,* and as *Deputy Adjutant General* to the army under Sir Arthur Wellesley in Portugal.

"Of his merits as an officer, many distinguished members of the honourable House are able to speak; and, I doubt not, will do justice to his memory and character.

"With

"With respect to my own promotion, I can solemnly declare, that I have obtained it *in regular regimental succession by purchase*, with the exception of my *Ensigncy* and *Lieutenancy*, which were given to me, and the *Brevet Rank* of *Lt Colonel*, which I received, in consequence of having been selected by Sir Samuel Auchmuty, to be the bearer of his dispatches, announcing the reduction of Monte Video, in South America, by assault, on the 3rd of February, 1807. I have had the honour of serving, as a volunteer, on several expeditions, and I feel confident, *that I have used every endeavour* to merit the favours which my gracious Sovereign has deigned to confer upon me.

"I feel it *due* to my deceased brother, and to myself, to make this communication to you, being solicitous that my *brother officers* may *not* be induced to believe, from the declaration of Mrs. Clarke, that any *undue* or *improper* influence has, in the least degree, tended to procure rank to either: and, as my feelings are, naturally, interested on this unpleasant subject, I earnestly request that you will have the goodness to cause this statement to be made *as public as possible*. Trusting to your liberality,

"I have the honour to be,
Sir,
Your most obedient and humble Servant,
JOHN G. P. TUCKER,
Lt Colonel."

"*To the Honourable the Chairman of the Committee,*
&c. &c. &c."

EARL TEMPLE then expressed his wish that this letter should be entered on the minutes.

MR. BATHURST objected to it on account of its being a bad precedent, and an encouragement to irregularity. Miss Taylor and others who might feel hurt by the proceedings of the Committee, could urge their claims, and then the impropriety would become apparent. At the same time he thought the wished-for object of the gallant officer would be obtained by the publicity of this proceeding. This introduced a conversation between Sir Thomas Turton, Mr. Perceval, Mr. Canning, and Mr. Beresford, when, there appearing a general wish that the other business of the Committee should be proceeded in, this matter dropped.

MR. PERCEVAL then rose and said, before the Committee proceeded to examine the letters found in the possession of Captain Sandon, he wished to make a statement to the House, which might be found to relate in some degree to those letters, and was an answer to the inquiries made on a former evening by an honourable member. The statement to which he alluded was the result of an inquiry of the sums of money actually furnished to Mrs. Clarke by his Royal Highness; he wished to explain what he meant by sums of money actually paid, and how far he could prove their payment, provided the Committee should afterwards think fit to call witnesses to their bar on this subject.—He could prove that his Royal Highness sent checks for various sums of money by a servant, commonly employed by him for that purpose, who brought

brought back the money to the Duke, who put it into letters or parcels directed to Mrs. Clarke, when the same person conveyed it to her; by these checks it would appear, that the sum of 5,570*l.* had been received, at the various times mentioned in his statement, for this purpose, by his Royal Highness. Besides these sums, in money, his Royal Highness had paid to tradesmen for furniture, jewels, and other things, which could be proved by their accounts, a sum, which, when added to that already stated, would make a gross sum of 16,751*l.* If it were the wish of the Committee, the payment for these things could be proved at the bar. *(No! No!)* The right hon. gentleman concluded by saying that this statement was signed by his Royal Highness.

The hon. member to whom Mr. Perceval had alluded, said, he could not avoid returning thanks to the right hon. gentleman for the attention he had paid to what fell from him the other evening. He should not have solicited this information, had he not known that the subject had made a strong impression upon the mind of the public, and he felt happy in saying, that the explanation was quite satisfactory; he could not, however, help alluding to one other subject, before he sat down, it was that of the admirable and regular manner in which business was transacted in the Commander in Chief's office; for, whatever might be the result of the present inquiry, every one must be sensible that he merited high praise for the attention he paid, in selecting able officers to conduct his business in the office he had just noticed.

Mr. Perceval, in answer to a question whether the annual payment of 1000*l.* was included in the sum he had first mentioned, said, that as he had stated all that could be regularly traced, the 1000l. per annum must be included; he had no means of judging but by the statement before him.

Mr. Beresford said, as this was one of the most serious charges that ever came before that House, or the public, he trusted he should be allowed to put one question to the right hon. gentleman, viz.—Do you know whether his Royal Highness did pay Mrs. Clarke any thing more than 1000*l.* per annum while she resided in Gloucester-place?

Mr. Perceval answered, that he could not say his Royal Highness had agreed to pay her 1000*l.* annually; he knew no more than what was in the statement before him—it purported to be an account of drafts for the years 1804, 1805, and 1806. The account began with January, 1804, and ended with the 18th June, 1806. The certificate, with his Royal Highness's signature, was at the bottom.

Lord Henry Petty objected to the course pursued by the right hon. gentleman, and observed, that nothing was to be received as evidence but what was authenticated.

Mr. Perceval said, he was not pursuing any particular course; he had submitted to the House whether they thought it necessary to have the statement proved; and he had only answered such questions as gentlemen had put to him in explanation of that statement.

Mr. Whitbread supported the noble lord's objection, and said, that he could not suffer that to be done for his Royal Hignness, which would not be allowed for another person.

Mr. Canning said, he certainly thought it irregular to examine

his right hon. friend as a witness, when he only came forward to make a statement at the request of a Member.

A few words then passed between Lord Folkstone, Sir G. Warrender, and Mr. Perceval, upon the propriety of the statement being examined into, either by a Select Committee, or at the bar of the House.

EARL TEMPLE thought every proceeding should be avoided, that could produce delay, unless that delay was necessary for the purposes of justice.

MR. PERCEVAL said, he could prove the payment for furniture, jewels, &c. distinctly.

MR FULLER said, 16,571*l.* had been paid, and he could not conceive what any one could wish for more, on behalf of such baggage. This was the most foolish inquiry.—(*Here the hon. member was loudly called to order, and immediately took his seat.*)

MR. CANNING said, that his right hon. friend had distinctly stated, that he had collected sufficient evidence to give a negative to the assertion, that only 3000*l.* was allowed her in the space of three years: the House however was not to conclude that this ascertainable amount was the whole amount; it should not measure the expences by the 16,000*l.*

MR. SHAW LE FEVRE thought that those papers would materially contradict the evidence which Mrs. Clarke had given.

MR. PERCEVAL said, that the cash and payments could be proved; that the drafts were drawn, and the money paid, would appear in evidence; but the difficulty would arise in tracing the articles into her possession.

MR. TRACEY was of opinion, that this could not amount to an impeachment of the testimony of Mrs. Clarke; she had herself declared positively that she had received 4 or 5000l.

After some farther conversation between Messrs. Perceval, Lambe, and Croker, Mrs. Clarke was ordered to be called in. Previous to the witness appearing at the bar.

MR. PERCEVAL suggested to the Committee the propriety of preventing the witness from perusing the letters that were to be presented to her; if she had the advantage of reading them, it might assist her to defeat the effect of any examination into which the Committee might be disposed to enter.

(MRS. CLARKE *was accordingly called in; and informed by the Chairman, that when any letters were put into her hand to ascertain her own hand-writing, she was not to read the contents of those letters. A large packet of letters was put into her hand, and she was asked, if they were her hand-writing.*)

Mrs. Clarke.—This is my hand-writing (No. 1.) *Mrs. Clarke identified other letters, numbered to* 41.] No. 42 is a piece of the Duke of York's letter which had come from Dover, with his seal upon it; it is directed "George Farquhar," and has the same sort of seal as the note that Captain Sandon had here last night.

The witness was ordered to withdraw.

MR. LEACH proposed, that as there was a large bundle of letters, the time

time of the Committee should not be consumed with reading them all; he thought that the better method would be, to select such as applied to the case before them, and exclude all others from their notice.

MR. WARDLE was not aware that there were many, or any of those letters, which did not apply immediately to the business under consideration; at all events, he was of opinion, that more time would be consumed in the selection, than would be necessary to read them all.

[The papers from No. 1 to 42 inclusive were read; they were as follow:]

1.

11 Hollcs-street, Cavendish-square, July 2, 1808.

Sir,

Perhaps you may have forgotten there was such a person in existence as the Writer; I have been in the Country for a year and a half, and I am but just returned from it, to remain in Town; and I should feel myself particularly obliged if you will favour me with your friend Colonel French's Address, or his Agent in the Inn in Holborn, which has slipped my memory.---Pray forgive the trouble, and believe me Your most Obed^{t}

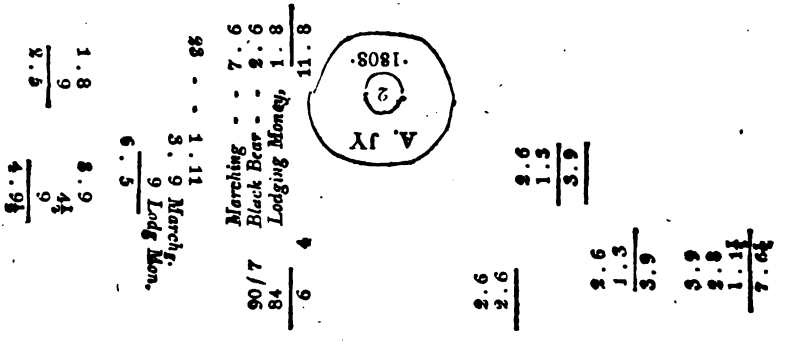
MARY ANN CLARKE.

Captain Sandon, 1/L
Royal Waggon Drivers, 7
Colchester.

Beccles, Essex,
Suffolk.

To-morrow.

James.



[N. B. The words which are here and in subsequent places printed in *Italics*, and the small Figures, are in the originals written in *Pencil*.]

2.

JL 14 Bedford-place, Russell-square, July 23.

Dr Sir,

On Saturday I was favoured with your answer, but as I have removed from Holles-street to this place, to save you the trouble of calling there, these lines are addressed you. I am now with my Mother and I fear for the whole of the summer. I did not want any thing of French but to ask a question. I am, Dr Sir,

Your obliged, &c. &c.

MARY ANN CLARKE.

Captain Sandon,
Royal Waggon Train
Beccles,
Suffolk.

TwoPy Post
Unpaid
Tottenham C R.

3.

Mrs. Clarke will be glad of a Call from Capta Sandon, if he is returned to town, to-day or to-morrow.

Gloucester-place,
Friday.

Colonel Sandon,
Bridge-street,
Westminster.

4.

I am thoroughly convinced of the money being too trifling, and I have mentioned it to a person who knows the full value of those things, so you may tell Bacon and Spedding they must give each of them more *two hundred*, and the Captains must give me fifty each more. I am now offered eleven hundred for an older officer.

M. A. C.

I must have an answer this evening to this, as I am to speak with HIM on it. I have mentioned as your being concerned for me.—I go to the little Theatre this evening.

1804 Colonel Sanden.

5.

Will you my good Sir, drop me a line Monday morning, saying if you have been able to influence any person who is with Pitt, to attend the House on Monday to give his *Vote*.

I have this *morning received* the inclosed from Corri, and where he marks

marks under he alludes to your business, and as I know he is a story-teller, I send you his Letter.

I am Sir, &c.
M. A. CLARKE.

Pitt's Motion, &c. Corri—Complaint.

Col. Sandon,

No. 15, Bridge Street,

Westminster Bridge.

6.

Dr Sir,

He will do it .—— so let the Proposals be sent in by when he gets to Town, which will be as soon as you get this, for one thousand at first.——The Duke of Cambridge has already four thousand. You have not any occasions to be very particular as to their being Protestants, for I don't think it of any consequence to him!!! I think you had better attend him on Tuesday, to ask his opinion of the Papers sent in on *Saturday*, as I told him I had seen the Proposals, which you intended to alter and leave that Evening. ——Pray when you go put on a *nice pair* of boots, and let it be about half-past 3.

Adieu—burn this.

Mrs. Clarke's Letter, relative to German Levy.

7.

Can you give me a Call to-day about one or two, or about five? I wish to see you much. Tell Spedding to write in for what he wants, as the D. says that is much the best. Can you get half a dozen or so that wants interest? I want money which is more imperious, this is what I want to see you upon, so you had better see Gilpin first.

What is become of Bacon?

Interest & Money.

Colonel Sanden.

8.

Dr. Sir,

Pray do something for me soon as possible; the Duke told me this morning that you must get on faster with your men, he has written to town for that purpose. You had better send me the exact number of all you have sent, and I will shew it him.

He complains of the Slowness of Recruiting the Levy.

Colonel Sanden.

9.

I send this by a servant to Hampton
hoping you will get it sooner

Dr Sir, Thursday Morning.

The Duke has neither seen Genl Toynin nor his son---his son he does not know, and it is six months since he saw the Gen'l. He has ordered him to be Gazetted, and is fearful it will be done ere he can stop it---he will be at the office to-morrow, and if not too late will stop it. He assured me it was entirely owing to me that he thought to do Aslett and Bligh the best by putting him where two others Majors have left A and he wou'd of course be too steps higher.

I hope to see you to-morrow, when you will be able to give me the answer from Toynin; shall be in town about 5.

The King and all the Family are coming to visit the Duke, being his birth-day!!! Full of compliment, you see.

17 August 1804.

12 o Clock
Au. 17
1804 N°

Colonel Sandon,
N° 15, Bridge Street,
Westminster Bridge,
London.

Two Penny
POST
Twickenham.

10.

Mrs. Clark's compliments await Col. Sanden, thinks it best for him not to come to her Box this evening, as Greenwood goes with both the Dukes this evening, and of course will watch where yr eyes direct *now* and *then*; and should he see and know Col. S———, may make some remark by saying or talking of the *Levy* business, and it may be hurtful to his and Mr C's future interest.

9th Oct. 1804.
See Richd Cœur de Lion

Col. Sanden,

N° 8, Lyons Inn.

11.

Dr Sir,

Cap'tn Toynin cannot be made this month as I expected; the D. tells me it will be at least three weeks, he having so much to do in reviewing; and there are some other promotions *now* to take place—*however the thing is done.*

The little boy will be attended to. On Monday I shall go to Vauxhall with a party, when perhaps I shall have the pleasure of seeing you; it is the only night this summer I shall have the opportunity, as on that night he is obliged to attend the House of Lords, as they ex-

pect

Captain Sandon and Colonel Hamilton had come to town; that Colonel Hamilton had called upon him, and told him, that he had seen a note of the Duke of York's in the possession of Captain Sandon. After some further conversation, more general, upon this point and others connected with it, it was determined that I should desire Colonel Hamilton to call at the Horse Guards the next day at one o'clock, to meet Mr. Adam; I did so, and the next day at one o'clock the messenger brought word to me that Colonel Hamilton was waiting in the usual waiting-room; Mr. Adam went out to him, and that is all that I can speak as to the note, of my own knowledge.

Q. Do you mean to state, that the suspicion which you had heard of, respecting this note, was an expression of the Duke of York respecting a forgery.

A. Certainly.

Q. How do you know that this is the same note to which the Duke of York alluded?

A. I really do not know any thing about it, I never heard of any other note.

Q. Have you ever heard of that note from that time to this?

A. Yes, I have. In continuation of what passed on Sunday, I think, I may state that I went the next day, the Monday or Tuesday, to the Chancellor of the Exchequer, and I had further conversation upon this very note, but I think merely recapitulation of what I have already stated to this Committee.

Q. Have you had any other conversation about this note since that time, with any person?

A. I have carefully avoided any conversation upon it; but I think the other evening, three or four evenings ago, waiting in the room above stairs with Colonel Hamilton, some conversation, very general, arose upon the subject of this note; but it was so very general, so very loose, (for, as I have mentioned before, I carefully avoided interfering in it) that I can only bring to my recollection that some conversation did arise.

Q. Have you had any conversation whatever, respecting that note, but this which you have mentioned?

A. I think I mentioned the subject in strict confidence to General Alexander Hope, and also to General Brownrigg, perhaps to Mr. William Harrison, with whom I communicate confidentially; beyond that, I do not think that I have.

Q. What was it that you stated to those gentlemen?

A. I must have stated to them pretty nearly the very same words that I have stated to this Committee, as nearly as I can recollect, nor more nor less.

Q. Did you see any copy of this note?

A. Yes, I did.

Q. When was that?

A. I think it was the same evening that the Duke of York and Mr. Adam called upon me.

Q. In whose possession was it, Mr. Adam's, or the Duke of York's?

A. I think it was in the possession of Mr. Adam.

Q. Have you had any conversation with the Duke of York upon that subject since that evening?

A. Yes, I have.

Q. When was that?

A. I have had frequent conversations with him upon it.

Q. Detail those conversations as nearly as you can?

A. I think a detail of those conversations would be little more than repetition of the Duke of York's assertion, that he thought the thing was a forgery.

Q. When was the last conversation you had with the Duke of York upon that subject?

A. I will repeat the last conversation, I think, which took place this morning about half past ten o'clock, when I went to the Duke of York at my usual hour of business; the first word the Duke of York said to me this morning was, As you are to be called upon to answer certain questions in the House

14.

Mr Clarke's compliments attend on Colonel Sandon, will be glad to see him to-morrow from eleven till one.

Thursday, Feb. 28.

Two Penny POST Coventry St.

Colonel Sandon, 2.

No 8, Lyon's Inn,

Whych Street.

15.

My dear Sir,

I am vexed to death, you will know the state of my finances, and I hit upon Spedding for Tuesday, when, behold, the Regt he is in did their exercise so bad that the Duke swore at them very much, and has stopped the promotion of every one in it! He said so much to the Col. Wemyss (I think) that if he had been a gentleman he would have given up—but he intends looking over the Memorial to-day, as S. has not been long in that Reg. and he is an old officer. So that you see if he gets his promotion how very much he ought to be indebted to my good offices. I must beg hard for him, the Duke is very angry with you; for when he last saw you, you promised him 300 Foreigners, and you have not produced one.—O, yes, master Sandon is a pretty fellow to *depend on*. I wish I had hit upon Eustace first. I told you, I believe, that they must be done gradually, his clerks are so cunning. Get Spedding to write out a list of his services, and send it to me as a private thing to shew him, not addressed to any one.——Adieu.

16.

Dr Sir,

I asked this morning if he had *himself* read those papers I gave him of the Col's, he sayed that he had; but that he still asked so much more than other men, that he could not think of closing with him: however let him send again, as perhaps he forgets his papers in his hurry, especially as he had those at home.

[torn.]

I cannot do myself the pleasure of being

17.

Dr Sir,

I shall esteem it a favor if you will make *immediate* enquiry about a Lieutenancy (I understand there are two to be disposed of in the 14th Lt Dragoons) as Charles Thompson is determined to quit his next week, and I wish for his own sake that he goes direct to the other, as the Duke might be displeased with any one being idle at this critical *moment*. If you are in the way I shall expect a *line—just to say if you* think it possible for him to purchase so soon.

Hi

Captain Sandon and Colonel Hamilton had come to town; that Colonel Hamilton had called upon him, and told him, that he had seen a note of the Duke of York's in the possession of Captain Sandon. After some further conversation, more general, upon this point and others connected with it, it was determined that I should desire Colonel Hamilton to call at the Horse Guards the next day at one o'clock, to meet Mr. Adam; I did so, and the next day at one o'clock the messenger brought word to me that Colonel Hamilton was waiting in the usual waiting-room; Mr. Adam went out to him, and that is all that I can speak as to the note, of my own knowledge.

Q. Do you mean to state, that the suspicion which you had heard of, respecting this note, was an expression of the Duke of York respecting a forgery.

A. Certainly.

Q. How do you know that this is the same note to which the Duke of York alluded?

A. I really do not know any thing about it, I never heard of any other note.

Q. Have you ever heard of that note from that time to this?

A. Yes, I have. In continuation of what passed on Sunday, I think, I may state that I went the next day, the Monday or Tuesday, to the Chancellor of the Exchequer, and I had further conversation upon this very note, but I think merely recapitulation of what I have already stated to this Committee.

Q. Have you had any other conversation about this note since that time, with any person?

A. I have carefully avoided any conversation upon it; but I think the other evening, three or four evenings ago, waiting in the room above stairs with Colonel Hamilton, some conversation, very general, arose upon the subject of this note; but it was so very general, so very loose, (for, as I have mentioned before, I carefully avoided interfering in it) that I can only bring to my recollection that some conversation did arise.

Q. Have you had any conversation whatever, respecting that note, but this which you have mentioned?

A. I think I mentioned the subject in strict confidence to General Alexander Hope, and also to General Brownrigg, perhaps to Mr. William Harrison, with whom I communicate confidentially; beyond that, I do not think that I have.

Q. What was it that you stated to those gentlemen?

A. I must have stated to them pretty nearly the very same words that I have stated to this Committee, as nearly as I can recollect, nor more nor less.

Q. Did you see any copy of this note?

A. Yes, I did.

Q. When was that?

A. I think it was the same evening that the Duke of York and Mr. Adam called upon me.

Q. In whose possession was it, Mr. Adam's, or the Duke of York's?

A. I think it was in the possession of Mr. Adam.

Q. Have you had any conversation with the Duke of York upon that subject since that evening?

A. Yes, I have.

Q. When was that?

A. I have had frequent conversations with him upon it.

Q. Detail those conversations as nearly as you can?

A. I think a detail of those conversations would be little more than repetition of the Duke of York's assertion, that he thought the thing was a forgery.

Q. When was the last conversation you had with the Duke of York upon that subject?

A. I will repeat the last conversation, I think, which took place this morning about half past ten o'clock, when I went to the Duke of York at my usual hour of business; the first word the Duke of York said to me this morning was, As you are to be called upon to answer certain questions in the House

Dont fail burning my scrible soon as read.
I do not go out of town to-morrow.

Colonel Sanden,
No 15 Bridge-Street
Westminster.

or Duke-street Adelphi.
No 9. Office.

21.

Dr Sir, Thursday.

I am extremely sorry to inform you (for the poor boy's sake) but it is impossible to admit him, as he has that misfortune you mentioned of being *one eyed.* Do you think it possible to get me a Vote on Monday for Pitt's Motion? it will if carried be of some consequence to us hereafter; try all you can.

I remain, Dr Sir,
Yours, &c. &c.
M. A.r Clarke.

Colonel Sandon.
Bridge-street,
No 15. Westminster Bridge.
Send me an Answer.

22.

What you ask will be at your service, and the letter will be at yor Office Monday morns.

Colonel Sandon.

23.

Mrs. Clarke will be glad to see Captain Sandon to-morrow, before twelve o'clock, if he is in town; if not, Monday at 5.——

Friday

1 o'Clock
6 JY
1804. N. T.

Col. Sandon,

No 15, Bridge Street,

Westminster Bridge.

2
TWO P, POST
Unpaid

24.

Dr Sir,

There is not any such thing in contemplation as the written question. Will you again ask about an India Lieutenancy? as the Duke assures me there are two for sale. In consequence of what I mentioned to him of Kenner he has made many enquiries, and finds

finds him to be a black sheep; he offered to bribe Col. Gordon a few days since!!

M. A. C.

Colonel Sandon.

48th antedate.

25.

D$_r$ Sir,

'Ere I leave town I scratch a few lines, begging you to be on your guard in every point; but of *my name* in particular, for the future never breathe it.---I am confident you have a number of enemies, for yesterday the —— was assailed from seven or eight different persons with invective against you---He is a little angry at something, yet will not tell it me—I think this fellow Kenner tries his friends—they laid fine complaints against you—did you tell Zemminees that as soon as Toynyn was gazetted you would get him done? in the same way, and that I was the person? Let me see you on Tuesday.

Adieu, I am interrupted.

26.

My D$_r$ Sir,

Be so good as to look at the Gazette to-morrow evng, as I rather expect some of the names to be inserted, I have others which I assure you upon my honor. The present for my trouble for the Majority is seven hundred guineas, so if you have any more this must be the same---I shall be in town Monday, if you will have any thing to communicate. I remain,

Friday Evng.

Dr Sir, yours, &c. &c.

M. A. C.

7 o'Clock
28 Sp.
1804 N$_r$.

Two-Penny POST

Colonel Sanden,
No 8 Lyons-Inn, Whych-street,
Strand.

27.

22d
8th

D$_r$ Sir,

I made a mistake, it is the 22d Regiment Mr. Thompson is to purchase into, or the 8th. Shall I see you to-day?

M. A. C.

What is Thompson to say to his Colonel?

Charles Farquhar
Thompson,
13
to 8 or 22d

Colonel Sanden,
15 Bridge-street,
Westminster.

2.

28.

I gave the papers to his Royal Highness; he read them while with me; said he still thought Men high; but that an answer would be left at his Office as the way of business.

I told him if any was appointed, to give the Col. the preference. Burn this soon as read.—I do not comprehend exactly what you mean by five other things; I don't think it possible.

29.

Can you send me one hundred pounds to-day?—and let me see you to-morrow morning.

M. A. C.

Colonel Sanden.

30.

Dear Sir, Friday.

Will you go to the Horse Guards for me to-day, and leave a proper letter as coming from Charles Thompson, asking for leave of absence for a fortnight; but if his services should be wanted he would join immediately; if you know any belonging to the Adjutants, you could get it by to-morrow.

Colonel Sanden. M. A. C.

31.

I have a letter which says you are a money-lender, in colleague with a notorious man call'd Dell!! I wish to shew it you.

I hope you will attend the Duke to-day, as Clinton leaves him on Thursday; and he has all the writings for you in hand: he will not leave his office till six.—

I shall be glad of a hundred guineas if possible this week. Saturday week Tonyn will be gazetted.—How comes on French? Call to-morrow if possible.

Colonel Sandon,
15, Bridge Street,
Westminster.

32.

As your Servant has called, and fearing you may not have my letter—beg you to see the Duke to-day at all events, or else things will be longer about, as Col. Gordon takes Clinton's place on Thursday.

33.

D^r sir,

Pray what can Spedding mean by asking on Thursday, thro' Gen. Tonyn, for leave to go upon half-pay? tis odd behaviour, *and you must think* that some one thinks me used very ill; of cour

course, till this is fully explained, I shall drop all thoughts of any thing else.

I remain your's,
M. A. C.

Saturday.
Colonel Sandon.

34.

Sir,

I am exactly treated as I have been led to believe, from more than one quarter, but will thank you to send me Colonel French's Address to-day before the Post goes out—I have nothing to do with your Agent, you know.

I remain, sir,
Your most obed^{t}
M. A. C.

35.

As Col. Sandon did not call according to promise, Mrs. C. hopes he will have the goodness to send her a Bill at two months, in the morning: surely all things will be settled before that becomes due. Mrs. C. hopes he will not disappoint.

Monday.
Colonel Sanden,
Lyons-Inn,
Whych-street.

36.

Sir,

You have disappointed me dreadfully, a Bill of one Hundred a three months is useless, it must be for two hundred at thre for one hundred months, or one at six weeks or two months. I beg you to retu it by the bearer, as I mentioned my situation to you.—Word thus:——I promise to pay to Six weeks or Two months af date, pay Mr. Thompson or Order, the Sum of One hund Pounds for value received.

Pray let me have it this evening at all events.

M. A. C

37.

Mr Clarke's compliments attend Captn Sandon, will feel h much obliged if he will do his best for Thompson in the recru business, as on his getting the men early will give him first r

Mr C. has not been able to get an answer from H. R. H. Taylor.

Dec. 26.

2 Two P^{y}
POST
Blandford.

Dec. 26th 1804.

Dec 26, 1804.
J. S.

Colonel Sandon,
No. 8, Lyon's Inn,

38

M C. must again intreat the assistance of Col. S——He well knows she has always done as he has wished her to do.

Colonel Sanden,
N° 8. Lyon's Inn,
Wych Street.

39.

I am told an Answer is left out for Col. French at the office, and that now he has dropped three Guineas per man.—
I am not aware of what the answer is intended to convey.
k will.

[*torn*] Mr. Corri.

40.

I hope you will not disappoint me, as on you alone depends my hopes of taking up a Bill over due.
Colonel Sanden.

41

2, Westbourne Place, Sloane Square,
Dr Sir, December 2nd.

Let me know where you are, and I have not the least doubt but I can serve you essentially, and remain as ever your friend.

MARY ANNE CLARKE.

1809
Jan. 30
G

Captain Sandon,
Waggon Train,
Spain.

By Mess. Greenwood & Co.
Lion Inn, Strand, London.

2d Decr 1808.

PORTSMOUTH, Jan. 29 1809.

(CAPTAIN HUXLEY SANDON *was then brought to the Bar, and was examined by* LORD FOLKSTONE *as follows:*)

Q. State to the Committee from what motive you, when you were the first time examined about the business of Major Tonyn, did not mention the note which you produced last night?

A. I really am extremely ashamed of myself that I did not; and I hope the Honourable House will pardon me.

Q. What motive had you for not mentioning that note, when you were first examined at the Bar?

A. [*After a long pause, during which the witness appeared to be greatly affected*] I really had no motive. [*A cry of Shame! Shame!*]

Q. Were you aware that it was a material circumstance to the point on which you were examined?

A. Certainly it was.

Q. Were you not aware that you were bound to give such information as was within your knowledge respecting that fact?

A. I did not understand that I was obliged to give it; I thought if the question was asked me, I was obliged to answer it.

Q. State the reason why you did not mention it on your first examination?

A. I really do not know how to answer the question.

Q. Why, when you were asked

about this note, did you deny knowing what was become of it?

A. At that period the note was mislaid.

Q. Last night did you not know what was become of the note?

A. Not till I went home; it was mislaid. *(Murmurs!)*

[*The witness was taken from the Bar.*]

MR. FREEMANTLE proposed, that the witness should be reminded of the powers of the House to punish his prevarication.

MR. W. SMITH wished that the messenger who accompanied the prisoner to his lodgings should be called to the bar and examined.

MR. PERCEVAL did not think that any contradiction that might be proved between him and another, would be near so forcible as that which was manifested in his own evidence; to call the messenger, therefore, he thought unnecessary.

MR. WILBERFORCE said, it might be false that the papers were mislaid, or that they were not, for he had stated both; and therefore he was desirous that the messenger should be called to ascertain it.

The witness being again brought to the bar, the CHAIRMAN addressed him as follows:

Captain Huxley Sandon; I am instructed by the Committee to remind you of the heavy punishment which has been inflicted upon you for gross prevarication, under the infliction of which you are still labouring; and to inform you, that if you persevere in the same system of gross prevarication, you have not yet experienced all the punishment which can be inflicted upon you by the justice of the House of Commons.

Captain Huxley Sandon.——Mr. Chairman; I really do not mean to prevaricate; I am very sorry this Honourable House has that idea; I will speak every thing I know; it is my wish, I assure you, not to prevaricate; I will tell every thing I can possibly know.

Q. Do you recollect any conversation which you held with Colonel Hamilton somewhere in London, since your return to London, when you informed Colonel Hamilton that the note was destroyed, wherein you used this expression, "they have *forgot* it" or "forgotten them?"

A. Not upon my recollection, *upon my honour*; I will certainly say every thing I know; it is my wish and my inclination.

Q. Do you recollect any conversation which you held with Colonel Hamilton somewhere in London, since your return to London, when you informed Colonel Hamilton that the note was destroyed, wherein you used this expression, "they have forgot it" or forgotten them?"

A. No; I never made use of that expression,

(By SIR GEORGE WARRENDER.)

Q. Was it with a view to any emolument or advantage to be derived from the possession of that letter, that you concealed it?

A. No; certainly not.

Q. What was the motive which induced you to conceal that letter from the House, till, by the punishment of the House being inflicted upon you, you, by the fear of that punishment, were induced to produce it

A. I had no particular motive for keeping back that letter.

Q. Do you then mean to state, that without any direct motive for

so doing, you told a deliberate falsehood at the bar?

A. I am sorry to say that I did? (*A laugh!*)

Q. Did you or did you not, at the time of your examination here last night, think that that note was of importance?

A. Certainly I did.

Q. In what way did you think that note of importance?

A. Because it was the note that I presented to Major Tonyn, which convinced him that it was the interest I had with Mrs. Clarke that got him the Majority.

Q. Did you know, of your own knowledge, the hand-writing of that note?

A. I never saw the hand-writing, to my knowledge before.

Q. Did Major Tonyn seem to know the hand-writing, or did he make any observation upon the note, and what?

A. I do not recollect that he did; I shewed him the note, and at that period he said, then the matter might stand over for two or three Gazette days, or a Gazette day or two.

Q. State why it was of importance to you to conceal that letter?

A. I had no particular reason why I concealed it.

Q. Did Colonel Hamilton when you shewed him that note, tell you it was the hand-writing of his Royal Highness the Duke of York?

A. No, he did not.

Q. What remark did Colonel Hamilton make upon that note, when you shewed it to him?

A. Previous to my shewing him the note, I told him that I understood it was his Royal Highness's hand-writing; he asked me what kind of hand it was, whether it was a neat little hand, and whether the large T's were made in a particular way, turning over; and when I shewed him the note, I asked him, Do you think it is his Royal Highness's hand-writing? he made me no answer.

Q. Did you apprehend any danger or inconvenience to yourself, from acknowledging that the note was in your possession?

A. No, I did not.

[*The witness was taken from the bar.*]

Mr. W. Smith then said, his reason for wishing the witness to withdraw was, he had made such gross prevarications, that it was beneath the dignity of the Committee to listen or pay attention to his evidence.

Mr. Frankland was of opinion, although he was a prevaricating witness, his examination would give an opportunity of bringing other evidence to substantiate any part that appeared material.

Mr. Perceval thought that the examination of the witness might be of use, as it might lead to some clue that the truth might be got at.

Mr. Wardle rose and said, the Committee could not forget the pomp and solemnity with which this witness was produced by the right hon. gentleman (Mr. Perceval) in his narrative yesterday. In that narrative he made an allusion to evidence that ought to have been brought forward, which was suppressed. He (Mr. Wardle) sat in his place, in silence, as he always had done when his own mind acquitted him, that such inuendoes were undeservedly thrown out. The time would come when he would speak of them. He owed it to his country and the Committee. He only wishe

wished to sift it to the bottom by whom the witness was tampered with. He declared he never saw the witness until he saw him at the bar of the Committee.

MR. PERCEVAL said, that from the situation he was placed in it was his duty to have taken the part he had; he might have prevailed on others to have done it, but he preferred acting himself openly and avowedly. If there were any thing he took credit to himself, or claimed thanks for, it was the business he introduced last night. When he made that statement, he assured the right hon. gentleman it was the most distant wish he had, that it should be conceived he alluded to him. He was at a loss to know what had fallen from him, this night, which could have given offence. He was convinced, after the figure the witness had displayed at the bar, if he were to say the Duke of York, himself, (Mr. Perceval), his learned friend (Mr. Adam), or Mrs. Clarke, tampered with him, the Committee or the public would not believe him.

MR. WHITBREAD and LORD HENRY PETTY expressed their highest approbation of the course the Chancellor of the Exchequer had pursued, and felt sorry that their hon. friend, Mr. Wardle, should have put a wrong construction upon his conduct.

MR. WARDLE, in the most handsome manner, explained.

(*The witness was again brought to the bar and examined by* MR. PERCEVAL.)

Q. Have you any recollection how long it was before the appointment of Major Tonyn appeared in the Gazette, that you shewed the note you received from Mrs. Clarke to Major Tonyn?

A. I think it might be two or three Gazette days; eight or nine or ten days.

Q. Look at that paper (No. 42.)

A. I know this paper.

Q. How came that paper into your possession?

A. It rolled up the note that I had to shew Major Tonyn.

Q. Was it in that state when you received it?

A. Exactly in that state.

Q. Had it no other writing upon it?

A. No, nothing more; it rolled up the note I received from Mrs. Clarke to shew Major Tonyn.

Q. Do you recollect why Mrs. Clarke gave you that bit of paper to roll up the note?

A. No, I cannot recollect why she did it; let me recollect; why, there was some reason why it was given; I cannot positively take upon me to say what the reason was, but there was some reason why the note was rolled up in that piece of paper; there was some reason, which I cannot now really recollect.

Q. Try if you can recollect it?

A. I cannot recollect; but I am perfectly sure there was some reason why she gave me the note rolled up in that bit of paper; I think, if my memory will bring me through, it was when the Duke was reviewing somewhere upon the coast, and it was to prove to Major Tonyn, in some way or other, that that note was written by his Royal Highness.

Q. Do you mean that the Duke was reviewing near the coast when you shewed this paper to Major Tonyn?

A. He was on the coast, I understood, at that period; she had received this letter, which she produced; I do not know whether she did not produce the letter, and read part of it to me, and then she tore off a piece, and rolled up the other, but

d, This will convince him
s comes from his Royal High-
ho is now upon the coast.
ow could that letter, not hav-
n it the Duke's name, con-
ny body that another letter
peared to be in the same
riting was the Duke's?
really do not remember now,
t he was at Dover or in Kent,
ng, at the period, I perfectly
ollect.
lo you not recollect that the
f York's name was upon the
f the letter at the time it was
d to you?
never saw it.
Was there any thing respect-
seal that was to be observed?
lot that I recollect.
Why should you give credit to
ver more than to the note?
t is so long since that I cannot
t why, but that there was
ason I am certain.

(*By* General Loftus.)

Recollect yourself how you
o go to Mrs. Clarke's on that
whether by accident, intention,
itation?
should think it was from so-
on.
n what room did you see Mrs.
?
I really cannot say; I used to
r in every room; such as the
g-room, and the dining-room,
r little dressing-room.
Will you recollect whether any
was present?
No, I do not recollect that
stance.
On what business did you go
n that day?
I think it was from her solici-
that I might go to Major To-
o inform him that she had got
aper, or that I was to take the
nd shew it to Major Tonyn, it
from his Royal Highness the
of York; but there are some letters which I gave up to this Honourable House, that I think mention something about that very business.

Q. Did you state to Mrs. Clarke, that Major Tonyn wanted his security back again, or his money?

A. That he wanted back his memorandum.

Q. What contrivance was it between Mrs. Clarke and you to keep Major Tonyn from recovering that memorandum?

A. I know of no particular contrivance; she desired I would go to him, and speak about the Majority.

Q. Then the Committee is to understand, that you went there and had a conversation with Mrs. Clarke, how to manage to keep Major Tonyn in temper until his Majority could be had, and that you found there a note, purporting to be a note from the Commander in Chief, ready written and sealed?

A. I do not exactly recollect that circumstance; I have related previous to it how I came acquainted with Major Tonyn; and when I had the honour of being introduced to Major Tonyn, it was on the very demur, when he was tired of the business, and thought the influence I had could not get the matter done, and desired me to get back the security; the consequence was, I informed Mrs. Clarke of the subject.

Q. And she had a note ready?

A. No, I beg your pardon, not that I recollect, then.

Q. The note was not ready?

A. Not that I recollect.

Q. Then if the note was not ready, how came you to bring it away with you?

A. I do not recollect; she told me she had got a note, and shewed me this note, and desired me to take it to Major Tonyn; I of course took it, and told him that was the interest by which we would obtain the Majority; I did not know at that time that it was from the Commander in Chief; Mrs. Clarke gave me the note,

and

and said that he had better wait two or three Gazette days, and in all probability he would be gazetted.

Q. Did you find the note there, and was it sealed or not?

A. When I first saw the note, it was not sealed; it was broken open, the seal was broken.

Q. Was it re-sealed?

A. Not in my presence.

Q. Did you deliver it sealed to Captain Tonyn?

A. No, I took it in my hand, and shewed him the note.

Q. Will you undertake to say that there never was a contrivance between yourself and Mrs. Clarke, on any occasion of this kind, to fabricate such a note?

A. Positively never.

Q. You have stated, that the Commander in Chief was reviewing on the coast when you received that note from Mrs. Clarke?

A. So I understood from Mrs. Clarke.

Q. How long had His Royal Highness been absent from town at that time?

A. I really cannot say.

Q. Had he been three days absent? A. I really do not know.

(By Mr. Croker.)

Q. There are certain pencil marks and other marks of yours upon the papers which were laid upon the table last night; were those marks and dates the dates of the times that you received those papers?

A. If you will do me the honour of letting me see the papers, I will say for what purpose I put them, to the best of my recollection.

[*No. 9, was shewn to the witness.*] Q. On that you will find a pencil mark, "17th of August 1804;" state what that pencil mark means?

A. This of course must be the date of it; here it is upon the post mark.

Q. Was the pencil the date when you received it?

A. No, it could not be, for here is "August the 17th."

Q. What is the meaning of this pencil mark?

A. That must be from something of this sort, for here is 17th of August upon the post mark.

Q. What is the meaning of that pencil mark?

A. I suppose it must be the date of the letter.

Q. Is not that pencil mark your hand-writing?

A. I think it is, but the words "Mrs. Clarke" upon it, are not mine.

[*No. 12, was shewn to the witness.*] Q. You will observe there is a pencil date upon that letter of the 8th of June 1804; what does that pencil date mean, was it the day you received the letter?

A. No, this must be wrong, because it is June 9th, and here is "June 8th," and June the 8th does not look like my hand-writing; the word "Majority" is mine.

Q. Has that letter been out of your custody since the time you received it, till last night?

A. No, Certainly not.

Q. Then is it possible any other person than yourself could have put that date to it?

A. No, I should imagine not; but still it does not look like my hand-writing.

Q. Do you recollect the purport of the note?

A. No, I entirely forget what it is.

[The note was read.]

Q. Hearing the purport of this note, state how this note, which mentions "a stop to the business" could possibly encourage Major Tonyn in the idea of its going forward?

A. The note says, does it not, that it is to go on.

Q. On the contrary, it says it stops, "shall remain as it is"; how can this note, which speaks of its remaining as it is, encourage this gentleman

gentleman in the expectation of its going on?

A. It was then going on, and I should imagine it was meant that it should go on.

Q. If you attend to the purport of the note, you will find that it says it shall stand still; what do you understand by the expression in that note, that it is to remain as it is?

A. I really do not understand it, I must confess

[*The witness was taken from the Bar.*]

Mr. Perceval inquired, whether it was the intention of the hon. gentleman to go into any further evidence? and Mr. Wardle declared it was not. Mr. Perceval then observed, that, from the mass of papers laid on the table this day, it would require time to inspect them; he therefore wished the Committee might adjourn to Monday, without meaning, however, that arrangement to be definitive.

The Committee then adjourned, and the House having resumed, the Chairman reported progress, and leave was given to sit again on Monday.

Captain Sandon was ordered to be sent again to Newgate.

Previous to the House adjourning, Mr. Perceval proposed, that the papers given this day in to the table, be given into the custody of the Clerk, for the inspection of the members of the House. He also suggested, that as a difference of opinion might exist as to the hand-writing of the note purporting to be the Duke of York's, delivered in by Captain Sandon, that it would be expedient to submit the inspection of it to some person acquainted with the differences of hands, in order that his opinion might help the House in forming their judgment on the subject.

Mr. Williams Wynne thought they could not be too particular in the custody of those papers, and therefore proposed that each person should inspect the note and other papers necessary to form his opinion at the bar, in the presence of the House.

The Attorney-General stated, it was the practice in courts of justice, when papers were to be examined, to direct that such should be done in the custody of the Clerk of the Court.

It was at last definitively arranged, that all the papers should be lodged in a box, in the custody of the Clerk, and that such papers as were given in evidence, should be open to the inspection of the members, and such persons as the Speaker should approve of.

[*The House adjourned at two o'clock.*]

ELEVENTH DAY.

MONDAY, FEBRUARY 20, 1809.

On the motion of LORD FOLKSTONE, the cashier in the house of Messrs. Coutts and Co. Sir Digby Hamilton, and Mr. Nisbett, were ordered to attend the Committee of the whole House, on an Inquiry into the conduct of his Royal Highness the Duke of York.

On the motion of MR. C. ADAMS, Mrs. Clarke, and another person were also ordered to attend the said Committee.

On the motion of MR. BERESFORD, Captain Sandon was ordered to be brought up from Newgate for a similar purpose.

On the motion of MR. W. ADAM, Mrs. Mary Ann Clarke was ordered to bring with her, this day, two letters dated in May, 1806, relative to her separation from his Royal Highness the Duke of York.

Mr. Thomas Parker was ordered to attend the Committee upon the Inquiry relative to the Duke of York, and to bring with him his books of accounts for 1804, 5, and 6, containing his dealings with Mrs. Clarke. Mrs. Favery and Mrs. Mary Ann Taylor were also ordered to attend the said Committee.

MR. WARDLE moved the order of day for the House to resolve itself into a Committee of the whole House, to consider further of the conduct of the Duke of York.

SIR THOMAS TURTON wished, before they did so, to make a remark or two upon what had passed on the last night. He was sensible it was irregular to observe on the evidence in this stage of the business, and therefore would simply put a question to the right hon. gentleman opposite to him, (Mr. Perceval.) When he was making his statement of the different sums advanced by the Duke of York to Mrs. Clarke, he seemed to do so as a part of the case of his Royal Highness. If this were so, he submitted to his consideration, whether it would not be right to call evidence to their bar, for the purpose of substantiating those facts, if it were intended to remove any prejudices that might exist on the subject.

MR. PERCEVAL reminded the House he had stated that he had then witnesses in waiting, who were ready to prove the delivery of the various articles he had stated to Mrs. Clarke. With respect to the different sums of money alledged to have been advanced to her, he had proposed that it should be referred to a Select Committee to report thereon, as it might not be considered delicate for them to inspect his Royal Highness's general bank account. Those sums could not be brought home to the actual possession

LORD FOLKSTONE.

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possession of Mrs. Clarke, because the practice appeared to be this: his Royal Highness was in the habit of sending his drafts to his banker's for various sums, which, when he had received, he would send inclosed to her. This was the only proof the matter was capable of, and if such were required, he had expressed his opinion that it would be right to refer it to a Select Committee. Various opinions were given on the occasion, but no wish was definitively expressed by the House on the subject. If such a desire were expressed now, he could see no objection to refer it to a Select Committee, though he was sorry that the time was lost in not doing it before.

Sir Thomas Turton declared he had not heard any thing of the proposal of referring it to a Select Committee; he was, however, afraid, that this mode might not prove quite satisfactory, as departing from that publicity which had hitherto marked their proceedings.

Mr. Perceval conceived it would be thought perfectly satisfactory to the House, as they had found all the proceedings already entrusted to a Select Committee perfectly fair and impartial; insomuch, that not the slightest difference of opinion had existed among them in making their report.

Sir Thomas Turton said, that he did not mean to say it was not satisfactory to the House, but to the public.

Mr. Abercrombie, alluding to the examination of Mr. Greenwood, on a former night, relative to the appointment of Mr. Elderton, in which he had stated, that he had expressed his sense of the impropriety of such appointment, said, he was authorised by that gentleman to correct that statement, as he had found, upon close examination, that he had not written a second time on that subject after his letter to General Abercrombie in Mr. Elderton's favour, upon which letter that General had recommended him.

Mr. Charles Adams wished to ask Mr. Perceval, whether in his statement of the conferrences he had had with the Duke of York, his Royal Highness had informed him how he learned of the intended suppression of the note by Capt. Sandon?

Mr. Perceval said, he had not stated that he had been told any such thing by the Duke of York, but by Colonel Hamilton.

Upon motion, Colonel Gordon was ordered to attend the Committee.

The House then resolved itself into a Committee of the whole House, Mr. Warton in the chair.

The Chairman informed the Committee he had received a letter from General Clavering *(a general laugh)*, expressing his desire to be admitted to their bar, for the purpose of explaining some inconsistencies in his former testimony.

A desire having been expressed from different parts of the House to have the letter read, it was objected to by Mr. Perceval, who said it was in the power of any member to call him to the bar

and examine him, which would be more regular than making his letter evidence.

Mr. Johnston was then desired to be called in.

Mr. Whitbread begged, that before they proceeded to the examination of this witness, who, he understood was from the Post Office, and brought to give testimony concerning the hand-writing of the note, attributed to the Duke of York, he might be permitted to say a few words for the consideration of the Committee. It was an established principle, that they ought, in every instance, have the best possible evidence the nature of the case would admit of, but here they were about to examine a witness, who was wholly ignorant of the hand-writing of the Duke of York. Although he was willing to go the greatest lengths in the admission of evidence, yet here it was quite extraordinary to apply to inferior, where they had already the best evidence on the subject. He had been told that such a course of proceeding had been taken in capital cases, but he knew also that this course had been overruled. Such testimony was always given with a degree of doubt, because it could be nothing else than mere opinion; he therefore would have the House consider well before they called the witness in. However indulgence was due to the Duke of York, yet he would ask whether it would be allowed to others if it were their case. One or two irregularities had occurred already, which unless extreme delicacy were suffered to interfere ought in his opinion to have been stopped at the time. In one instance Colonel Gordon had been suffered to pull out of his pocket a parcel of letters, for the purpose of comparing them with the note in question. On the other hand, forty or fifty letters had been put into the hands of Mrs. Clarke, to say whether they were her hand-writing, and she was not suffered to see the contents of them. Now when those had come out of the possession of Capt. Sandon, was it but fair and reasonable that before she took them on herself she should be allowed to inspect them, if it were only for the purpose of ascertaining whether any additions or alterations had been made in the body of them? Passing over, therefore, these two improprieties, they were going to adopt a third still more glaring, they were going into evidence that was not in itself admissible, and which, if admitted, would weigh nothing in their decision. For these reasons, if the question should be put upon it, he should certainly vote against it.

Mr. Perceval explained the course of proceeding to the Committee. On the preceding night, after the House had resumed, and but very few members had remained, an hon. member, not now present, had compared the note in question with the two letters admitted to be of the Duke's hand-writing, and he had been struck with what appeared to him a difference in the formation of certain letters in the note, which gave it the appearance in his mind of an imitation, and not an original. These suspicions he had communicated to others, and they seemed to them to have great weight; and it was thought advisable to follow the matter up.

All

All the members could not inspect and compare them, and so it was thought advisable to call in others who should examine and give their opinion on them. If this were a case of a trial before a jury of twelve men, they could have individually inspected them, and formed their opinion for themselves; but that was impossible to be done here. With respect to the legality to this mode of proceeding, it had certainly been admitted at a trial at bar; and though it had been overruled aftewards, that was, in the opinion of a single judge, which, however respectable, might not be supposed to outweigh that of four judges. Where doubts, therefore, were found to exist, it had been thought advisable to make use of this mode, in the present instance, and accordingly witnesses were procured to inspect the papers. With respect to the observations of the hon. gentleman, he certainly thought it hard that irregularities had been admitted; they had not been observed when they occurred; if the objection had been taken at the time, Col. Gordon would have put his papers up again in his pocket, and then he would have given the best testimony in his power. The next observations is respecting the preventing Mrs. Clarke from reading her letters, seemed to be applied to him; but it would be observed in the one case, it was that of a stranger called to speak to the hand-writing of another in the letter. It was Mrs. Clarke merely asked as to her own hand-writing; and this was the constant practice in the courts of law, where witnesses were never suffered to peruse the contents of papers they were called to verify, and therefore there had not been any irregularity in this mode of proceeding. If, indeed, any parts of these letters should appear doubtful, and any observation be made upon them, it would be but right she should have an opportunity of seeing them, for the purpose of admitting or denying, before they were taken as fact; and as to the nature or effect of the evidence to be offered at their bar; he professed himself, in consequence of the wise and rigorous caution of the Speaker, as wholly ignorant as any member of that House. He had given directions that they should be examined separately, and had likewise cautioned them against divulging the effects of their inspection, until they should come to give their evidence at the bar of that House, a caution he hoped and trusted they had inviolably observed.

Mr. Whitbread, in explanation, declared he did not in the least allude to the hon. gentleman in what he had said, neither did he mean to cast the slightest imputation on Colonel Gordon, but merely used that instance as an argument against their grounding their opinions merely on reputation; and he trusted, if the evidence were suffered to be given, that no one would vote on that ground, without first looking at the papers, and judging for themselves.

Lord Folkstone offered some observations on the mode attempted to be pursued in offering this evidence. The known principle was, to resort to the best testimony in their power; and on this subject they had received the most positive testimony. (*From whom?*

whom? was called from the other side of the House.) From Mrs. Clarke; and he had no doubt but when they came to consider her evidence, they would see no reason to doubt, as it would be found clear and correct. *(Hear! hear!)* There were likewise four more witnesses who had spoken as to their belief *(no! no!)* he therefore submitted, that when they had such evidence, they ought not to resort to such as was now offered. Against this, his lordship likewise stated the report of a case of libel, Jackson *v.* Cator, tried at Maidstone, in which Mr. Garrow, as counsel for the prosecutor, had offered the same evidence as that now tendered, but which was resisted by Lord Ellenborough, then attorney-general, who was counsel for the defendant. In his argument on that occasion, noticing the case of Rivett and Graham, which had been a decision in favour of the evidence, he shewed that it had been overturned by the subsequent case of Pitt and Carey, in which Lord Kenyon had rejected it; and at the same time declared, though he had admitted the evidence on the former case, he had not noticed it in his address to the jury. Upon this agreement Baron Hotham had, after mature deliberation, given it as his opinion, that the evidence ought to be rejected. This his lordship offered as the evidence produced in a legal point of view. But there was another point in the case of Jackson and Cator, which the House must take from him merely in the shape of statement, as he had only received his information this day, though, from the respectability of the quarter from which he had it, Mr. Parke, it might be relied on; and it was this: It having been discovered that the prosecutor had brought down a number of clerks to prove the libellous paper, by the similarity of hand-writing between that and other papers of the hand-writing of the defendant; the latter had also subpœnaed a number of respectable witnesses, to negative the libellous paper as his, from the same source of information, namely, the similarity of hands; but this became unnecessary, by the rejection of such testimony in the first instance. This, therefore, he hoped would make them weigh well before they admitted the evidence now offered.

Mr. Beresford supported the sort of evidence proposed to be adduced, as, even according to the arguments of the hon. gentleman opposite, there was no saying but what it might bear as much one way as another.

Mr. W. Smith said, that when the hon. gentleman who had just spoken, had pointed out to him a very material difference in the hand-writings of these two letters, which appeared to be by the Duke of York, he (Mr. Smith) undoubtedly expressed a concurrence in that opinion, as to there being a very material difference. When this mode of examination was decided upon, he certainly knew there were many inconveniences likely to arise, being convinced that a Committee to investigate the matter would have been the most advantageous proceeding. Since, however, a different line had been adopted, he could not help thinking that nothing could be more improper or objectionable, than the laying down

down one rule of proceeding in a case of this kind, where the Duke of York was the person accused: and another in that where the conduct of a person of inferior rank was to be inquired into. These cases ought, in every point of view, to be the same. If the Duke of York were not to be treated as any other subject, he thought it was a great argument for not putting his Royal Highness in the high situation he now held, and, in short, no one of the Royal Family ought to hold any public situation whatever. He thought, that if the House were to carry on any thing of a judicial proceeding at all, they ought to have a right to examine upon oath as much as the other House of Parliament had, and he hoped to see the time when that would be the case. He believed it was a privilege which crept into the other House, merely because they were sometimes sitting in a civil or judicial capacity, and he saw no reason why that same privilege should not be extended to the House of Commons. Upon the present occasion they had, by the best means in their power, endeavoured to obtain the truth, by calling witnesses acquainted with the Duke of York's hand-writing, and if they called others, he thought it would be merely a matter of opinion, and that the members must still all decide for themselves, in order to ascertain whether the note in question was or was not of the Duke of York's hand-writing. There appeared to him to be a great mistake or confusion in the general reasoning upon this subject; but there were so many gentlemen learned in the law in that House, competent to decide that point, that he should not say much upon the subject, but it struck him that the first question put to witnesses, under such circumstances, in courts of justice, is, "Have you seen the person write?" and the person answering that he has, is supposed to be a more competent judge than if he had not; for it must come to be a mere comparison of writing. Now what convinced him of the fallacy of such a mode of proof, was, that an hon. gentleman was called upon last week to give his opinion as to Sir Horace Mann's hand-writing, and, on being shewn two papers, that gentleman was convinced that one letter was of his hand-writing and the other was not. He (Mr. Smith) had the curiosity to look at these two papers afterwards, having been told by the hon. gentleman himself that one only of these letters was of the hon. baronet's hand-writing: yet he should have said, upon his oath, that the second letter was so likewise, the only difference apparently being caused by its having been written with a different pen, or, in other words, the one better and the other worse. The degree of hesitation which the persons called to the bar upon this point evinced, did, in his opinion, do them more honour, than if they had stated it positively to be the hand-writing of the Duke of York, when they had only two short lines to judge from. *Valeat quantum* was merely all that could be said about it, and he did not know why they were to be bound up by any strict rules of evidence, when they were allowed to do many things in that House, which were not done elsewhere. In the present case opinions had been al-

ready given, which were thought to be the best, and they were willing to take some means of adding more or less to their own opinions, so as to enable them the better to decide than probably they otherwise could do. If the House were to direct themselves by their own proceedings, he could see no reason why other witnesses should not be allowed to form a judgment by comparison, as Col. Gordon had done. It would be a technical reason; for such a mode of procedure did not appear to be an irregularity in substance, however much in form. As to Mrs. Clarke's not being allowed to read over the letters which were shewn her, to prove the hand-writing, and which was said to be improper at the time; he could see no impropriety in it, as a person looking over a writing might see many things which it was impossible they could have said or written. In short they might see sufficient cause to think it was not the hand-writing of the person they might otherwise suppose it.

Mr. Bragge Bathurst agreed with the last speaker, as to the propriety of examining the witnesses proposed to be brought forward to give a judgment upon the comparison of hand-writings. He never heard it objected to in any courts of law; and, indeed, he thought it was the common practice, but he had to regret that the proceedings of this Committee had, in many cases, exceeded the bounds of legal evidence. The present case was not like any of those that had been cited as having occurred in courts of law. It had been said, that Mrs. Clarke, (of whose evidence he should for the present forbear giving any opinion) and the other witnesses called as to this writing, had all of them proved it to be that of his Royal Highness; but he conceived that the only legal question which existed in the case, viz. "Do you believe that to be his Royal Highness's hand-writing," had been put to none of them, except General Brownrigg. He apprehended it should certainly have been put to all of them, but it was, perhaps, their confidential situations that precluded such a question. An hon. gentleman examined on that point had said there was a shade of difference which led him to disbelieve that the note was written by the same hand as the two letters. It then could not be argued but that it was a question which remained doubtful, and therefore they ought certainly to take that evidence which would lead them to form an opinion, although it were merely conjectural.

Mr. Brand expressed himself astonished at many of the objections which had been taken to this evidence, as he differed from most of them. It was true, that it was now ruled in courts of law, that that sort of evidence was not generally to be admitted; but in such a case of evidence he thought it would be competent even in those courts. He could not help admitting, that a comparison of hand-writing, by persons accustomed to make such comparisons, might enable the House to form a more correct judgment than it otherwise could do, and upon these grounds he should vote for this witness being examined.

Sir Samuel Romilly said, that certainly the House were not bound

bound by the rules of evidence in courts of law, for they were not only to establish facts, but they were to get the opinions of others. It was extremely difficult, however, to conceive how that evidence was to bear upon the point in question. It was a point of law, as well established as any in Westminster Hall, not only that such evidence was not admissible, but that it would be most dangerous were it otherwise. The decision in the case of Rivett v. Graham caused great alarm in the profession; but it turned out that the trial at bar, which was thought to have settled the cause, was reversed by the judge at *Nisi Prius*; and it could hardly be conceived, that that would have been the case, had the learned judge not been convinced that the law was already established upon that point. There was nothing so important to determine, as that of hand-writing; he understood the witnesses now to be called were to be examined as to whether or not these three letters, on a comparison with each other, were written by one and the same person? Could any man pretend to say that a person looking at a piece of writing, without having seen the individual previously write, was capable of judging of his hand-writing? It was well known, that hand-writing assumed different appearances on different occasions, from various circumstances, and, amongst others, by its being written with a good or bad pen. If a comparison of hand-writings were proper, why had they not had recourse to it at the first, and not at the last. Upon the whole, he could not think that it was either proper or necessary to admit the evidence of persons comparing this scrap of paper with other writings, so as to establish this important fact against his Royal Highness, that the note was of his hand-writing.

Mr. Beresford, in explanation, said, that all he had proposed was, that the three pieces of paper should be put before the witnesses, so as to ascertain what each of them thought on the subject.

The Attorney-General, argued in support of this evidence. He said, that the case alluded to, by the learned gentleman on the opposite side, was not perfectly in point, for the opinion which Lord Ellenborough gave upon the trial at Maidstone could not be urged as his sound opinion, as he was acting as advocate for one of the parties, in a manner which he deemed most beneficial for his client. That opinion, therefore, given under such circumstances, could not be taken as an authority, delivered from the bench. He begged leave to observe to an hon. gentleman opposite, that the first question put to a witness on such occasions, was not, whether he had ever seen the person write? but it was, whether he had been in the habits of correspondence with the party? for that shewed he must have frequently seen the hand-writing he was called on to prove. The question before the Committee was, whether they should receive any assistance in forming their opinion, as to the genuineness of this letter, by the evidence offered? and as they had in many instances already departed from the strict rules of legal evidence, he saw no reason

why they should not assist themselves in making up their minds by every means in their power. If so, was it not proper to have the testimony of persons whose business had been to compare writings and detect forgeries? Such persons were surely more competent to form a correct judgment upon such matters, than they themselves were, and upon that ground he should be inclined to hear them examined at the bar.

Lord Folkstone stated to the Committee, that he had just then learned that Mrs. Clarke was indisposed, and could not attend; he should therefore propose calling as a witness to this fact.

[Thomas Metcalfe, M. D. *was called in, and examined by* Mr. Perceval.]

Q. You are a physician?

A. I am

Q. Are you Mrs. Clarke's medical attendant?

A. I am.

Q. Have you seen Mrs. Clarke in the course of this day? A. Yes.

Q. Is her state of health such as to prevent her attending to give evidence to-day?

A. I think totally so.

Q. Can you form any opinion when Mrs. Clarke's health will permit her to attend?

A. I should think in the course of two days.

[*The witness was directed to withdraw.*]

[It was moved and seconded, that the evidence to hand-writing about to be produced, be not received; which being put, passed in the negative, without a division.]

[Mr. Samuel Johnson *was then called in, and examined by* Mr. Perceval.]

Q. What are you?

A. Inspector of franes at the General Post-Office.

Q. How long have you been in that situation?

A. I have been in the office about thirteen years, or rather more; in that situation about six years; I think it was in 1802 I was appointed to the franks.

Q. In that situation, is it your particular duty to look at hand-writing, and observe its different variation?

A. It is our duty to perceive that no franks pass either from the House of Peers or the House of Commons, but franks by the Peers or the Members themselves.

Q. In the course of that duty, it is necessary for you to be very particular in your examination of hand-writing?

A. As much so as our time will permit.

[*The two letters and the note being shewn to the witness.*]

Q. You have seen these papers before, in the room of the House of Commons?

A. I have.

Q. The paper to which I wish to direct your attention, is the small paper; in your opinion, is that smaller paper the same hand-writing as the larger papers?

A. It resembles it so nearly, that I should think it was.

Q. In point of fact have you occasionally, from inspection only, detected false or feigned signatures.

A. Yes.

[*The witness was directed to withdraw.*]

(Mr. Robert Searles *was called in, and interrogated by* Mr. Perceval.)

Q. What are you?

A. A deputy inspector of franks.

Q. How long have you been in that situation?

A. About eighteen months.

The

Mr PERCEVAL.

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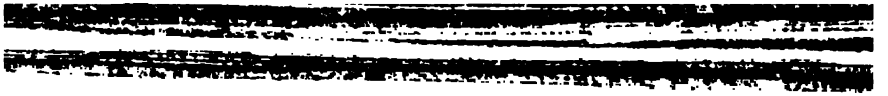


[*The two letters and the note were shewn to the witness.*]

Q. You have seen these papers before? A. I have.

Q. Look at them, and tell me whether you think they are all the same hand-writing?

A. I think they are.

[*The witness was directed to withdraw.*]

(MR. THOMAS NESBITT *was called in, and examined by* MR. BERESFORD.)

Q. What is your employment?

A. I am in the service of the Bank.

Q In what department of the Bank are you?

A. Principal of the Letter of Attorney Office.

Q. In that office are you in the habit of examining hand-writings, that are suspected to be forgeries?

A. Yes, constantly so.

Q. How long have you been in that employment?

A. Between thirty and forty years, in the daily habit.

Q. Are you in the habit of examining writings that you so suspect, by comparing them with other writings, acknowledged to be the hand of the same party?

A. Certainly.

Q. In making such comparison, what is your usual habit of doing it?

A. A signature to a letter of attorney for sale is left at the Bank for me to examine, and if to any other letter of attorney the proprietor has put his name, or has accepted the stock, this letter of attorney in question would be examined by those signatures.

Q. In so doing, are you in the habit of observing the turn of the different hands in writing the names, to see whether the party writing turned his hand the same way?

A. Certainly.

[*The two letters and the note were shewn to the witness.*]

Q. Have you seen these papers before?

A. I have.

Q. Do you see any difference in the turn of the hand in the letters and the note, upon close inspection?

Before the witness had given an answer to this question, he was ordered to withdraw, on the suggestion of Mr. Bathurst, who objected to its being put in that mode.

MR. PERCEVAL said, he could see no objection to this sort of proceeding, as it went to point out what appeared to be a different turn in the writing, and his hon. friend having previously formed an opinion as to there being a perceptible difference in these documents, he thought he was the best able to put these interrogatories.

MR. BATHURST answered, that it might be extremely true, but he still objected to it, as it had not been the course adopted towards the former witnesses. He thought the question put on such an occasion ought to be a general one, for in all hand-writings there might be different turnings. The hon. gentleman who had put the question had formed an opinion of his own, and he now called upon the witness to say whether that was a true opinion or not. That surely was not a leading question, and therefore it was not competent to put it now, however proper it might be afterwards.

MR. ELLIOT thought it was of importance that the proceed-

ings should be consistent: but how could that be said of them, when the House had actually rejected a witness at the bar, because he could only speak as to signatures? If he mistook not, this witness could only speak to signatures.

Mr. Perceval still persisted in the question being unobjectionable.

Mr. Ellison thought it was of particular importance that the witnesses should not be led upon such a point as this, but that the House should have their unbiassed judgment formed upon their professional knowledge.

Mr. Beresford stated, that he had been many years in the habit of comparing writings, and circumstances having occurred that made him draw a different opinion from the former witnesses, and the reasons he gave for that opinion having struck others as forcibly as himself, he could not help thinking this mode of interrogatory was most proper. He had no object but to come at the truth.

Mr. Wilberforce thought that the best mode of examination would be to allow the witnesses to compare the papers and state the result, instead of having their opinion intercepted, and attempts made to shake it. Such questions as these would properly come after the leading questions were answered; and as the question was not put to the former witnesses, it was exceedingly desirable that they should follow an uniform line of conduct, rather than attempt to fritter away the opinion of witnesses.

It was then agreed the question should be expunged, and the witness recalled.

(The witness was again called in, on which Mr. Beresford *resumed his examination.)*

Q. State whether you think these several papers were all written by the same person, looking both at the directions and the inside of the letters?

A. I have looked very attentively at the note particularly, and compared it with these two letters, and after a great deal of attention and care in looking at almost every letter in the note, I am of opinion that it was not written by the same hand.

Q. On what circumstances in that note do you ground your opinion?

A. Because I perceive a neatness through almost every letter of the note, which is not, I think, to be found in the letters; and the whole of the writing in the note appears to me to be of a smaller character than the letters in general are; I think I perceive a stiffness in several of the letters in the note, which I do not perceive in the two letters dated Sandgate and Weymouth.

Q. Have you any further observation to make?

A. I will just add, that in the two letters dated Sandgate and Weymouth, there appears to me to be a general freedom I do not perceive in the note.

(*By* Lord Folkstone.)

Q. You state, that you perceive in the formation of the letters of the note a neatness of character which you do not perceive in the letters; do you not conceive that difference may arise from the difference of the pens and ink used in the writing?

A. That circumstance has not escaped

caped my mind, but after looking at that also, I am still of opinion that it was not the same writing.

Q. You stated, that you are principal inspector of the Letter of Attorney Office; in examining letters of attorney in that office, is it not your principal business to look at the signature? A. It is.

Q. Is that your only business?

A. No, surely not; that is the principal business.

Q. What other part of the hand-writing are you accustomed to examine, besides the signature?

A. It is necessary for me to read over the whole of the letter of attorney, to see that it is correct in all its parts, and when so done, to compare the signature with any former signature, and if it agrees, of course it is admitted; if it does not agree, we have other modes of proof, such as looking at other signatures, comparing the hand-writing of the witnesses, and still other proofs.

Q. Is it expected that the hand-writing in the body of the letter of attorney should be written by the person who signs his name at the bottom?

A. The letters of attorney are almost universally filled up by the clerks in the office over which I preside; the body of the letter of attorney is uniformly filled up by them.

Q. Then is not the comparison of writings to which alone your attention is directed, altogether a comparison of signatures? A. It is.

(*By* Mr. Charles Adams.)

Q. Have you, in looking over the note, observed that there are no dots to the i's in that note? A. I have not.

Q. Have you observed whether there are any dots to the i's in the two letters?

A. I think I have observed dots in some parts of the letters.

Q. Look over the letters again with a view to that circumstance.

[*The witness looked over the letters.*]

A. I do not observe several, but I do find, in the first letter I have looked into, one; that is the letter dated from Weymouth.

Q. Have you observed but one i, in these two letters, with the dot over it?

A. I have not observed more?

Q. Having adverted to that circumstance, do you remain of the same opinion with regard to the hand-writing?

A. I do not think that should change my opinion, because I think that the *ensemble* of the note appears to me altogether a different kind of hand.

Q. You have stated to the Committee, that you looked over these letters and the note with great attention; how did it happen that so remarkable a circumstance as that escaped your attention?

A. I do not at all wonder that such a circumstance as that should escape my attention, it is the first time I have ever been called upon in this House, however, and surrounded as I was by gentlemen on every side at the time I was examining into the letters, as far as my time and attention would allow, I do not wonder that that circumstance escaped my attention.

Q. How long a time were these letters under your inspection in the Committee-room above stairs?

A. I think about an hour; but in the course of that time, I had a great variety of letters to look over, of Mrs. Clarke's and other persons, which I was directed to look at, and which I did look at, and observed the characters with some attention.

[*The witness was directed to withdraw.*]

Sir Thomas Turton, Mr. Yorke, and Mr. Sharpe briefly gave their opinion on the propriety of the last question.

(T

(The witness was again called in.)

Q. Do you remember an instance of a person endeavouring to forge or imitate the hand-writing of another who did not put dots to the i's, who in that forged or imitated paper was accustomed to put dots?

A. I do not exactly recollect any circumstance about dots of i's, but I have refused signatures, and perhaps daily do that, which turn out to be forgeries, though generally innocent ones, but not actually the signature of the parties that should be there.

Q. Does the circumstance of there being no dots to the i's in the note before you, make any difference in your opinion?

A. It certainly was a circumstance that I did not advert to, and therefore, as far as that goes, I certainly think it is of weight, but not sufficient to alter my opinion.

Q. In the course of examining the signature of powers of attorney, have you not observed that the signature of the same person varies considerably in a short period of time?

A. I certainly have, and that may arise from a variety of circumstances, such as ill health; a signature made before or after dinner has frequently been very materially different, and indeed a variety of other circumstances would alter the signature materially.

Q. Have you not admitted the validity of signatures of the same person, so varying as you have stated, in a greater degree than the variation between the writing in the note and the two letters?

A. I have no doubt but I have, but it will arise from this circumstance, probably, that where the signature of the constituent differs materially we have then the signature of two witnesses to look at, and if the signature of either of those witnesses should be well known to me to be in all probability a true signature, I mean a signature that passes before me very frequently, that would operate in my mind to admit the power of attorney, though there might be some considerable variation between the constituent's signature in the one instance and in the other.

Q. Have you not admitted the validity of the hand-writing of those varying signatures, where the witnesses have been totally different persons, and totally unknown to you?

A. I think I have not, because that is my particular business to attend to, not to admit any thing that is not in itself exactly what it ought to be, without such proof before me as should enable me to admit it.

Q. What proportion of the signatures of the witnesses to the powers of attorney, in the country, are you acquainted with?

A. I cannot say the proportion of hand-writings of witnesses that I am acquainted with, but certainly a great number, and you will allow that, when I tell you that every day I admit from forty to fifty, sixty and a hundred; hardly any day is less than forty, and very often a hundred.

Q. You must know that powers of attorney, executed by the same person in the country, are attested by very different witnesses?

A. Certainly.

Q. Do you not depend upon the signature of the person who executes the power of attorney, much more than upon any name of any witness to the execution of that power of attorney?

A. I certainly do, that is the first object.

Q. Do you not principally depend upon the signature of the person who executes the power of attorney, notwithstanding the variations in the hand-writing of that person?

A. I certainly do.

Q. And you have admitted the validity of those signatures with greater variations than you find between the note and the two letters?

A. I certainly have, but collateral

evidence has come in to satisfy me of the validity of the signatures.

Q. Do you consider the note as having been written in imitation of the hand-writing of the letters?

A. That was my opinion at the time I was examining them.

Q. Is it in the usual and common habit of yourself to be called upon for your opinion, and to give an opinion upon the similarity of hand-writing, where there are no signatures of names whatever?

A. It has very seldom happened of late years, formerly it was more frequent, because of late years I have understood that such kind of evidence has not been admitted in the courts of law.

(*By* MR. LYTTLETON.)

Q. Having stated that you have been chiefly conversant with the examination of signatures, do you judge of them by comparison with other signatures of the same person, or a general comparison of the hand-writing of the person supposed to sign?

A. I judge of them by a comparison with other signatures of the same person.

Q. Have you ever seen papers in which the signature and the other writing in those papers, purported to be, and to your knowledge were written by the same person?

A. I have.

Q. Have you in those cases observed that the signatures are in many cases different from the general writing?

A. I certainly have; and I must acknowledge that signatures in general are much easier to judge of than common lines of writing, because signatures have always appeared to me a set kind of hand, which a man takes up, and in general does not part with.

(*By* MR. H. MARTIN.)

Q. Previously to your examination of the two letters and the note, had it been intimated to you by any person, and by whom, that there was reason to doubt of the authenticity of the note?

A. I think I should answer to that, that I read the newspaper every evening, and therefore I have read all that concerns this business every evening as constantly as it has passed.

Q. Is the Committee to understand, that the first doubt you entertained was by what was suggested from reading the newspapers?

A. I certainly came with no prejudice in my mind, but I came determined to form my mind from what I should see in the note and in the letters.

Q. Is the Committee to understand, that the first doubt you entertained was by what was suggested from reading the newspapers?

A. I think I said that I came here with no prejudice, but to form my mind from what I should find in reading over the note and the letters.

Q. Is the Committee to understand, that the first doubt you entertained was by what was suggested from reading the newspapers?

A. I conceive that I might reason upon the subject, but certainly I came here with no prejudice whatever.

Q. Is the Committee to understand, that the first doubt you entertained was by what was suggested from reading the newspapers?

A. I certainly did reason upon the subject in my own mind, but I came here with no prejudice whatever.

Q. Have you carefully examined both the letters, and do you find in any parts of either of those letters any difference in the hand-writing; are both those letters exactly in the same character and style of hand-writing?

A. I did not perceive any particular difference in the mode of writing in those two letters, but that they were all

all written with the same kind of freedom, except where the ink appeared to fail, and that will constantly be the case under such a circumstance.

[*The witness was directed to withdraw.*]

(*The witness was again called in.*)

(*By* Mr. Ward.)

Q. Is or is not the difference in the note and the letters greater than that which you have frequently observed between acknowledged pieces of hand-writing of the same person?

A. The difference between the note and the letter appears to me to arise, taking it altogether, from the neatness and the stiffness of writing, which I do not observe in the two letters; as to there being a greater difference between the note and the letters, and any two signatures which I have admitted, I really cannot tell how to answer that; the differences in signatures are so very frequent and so various, that I cannot well explain myself upon that subject.

(*By* Mr. Whitbread.)

Q. As you have been in the habit of comparing signatures with others, do you consider yourself more competent to speak on this subject than any other person experienced in another office?

[*Witness was ordered to withdraw.*]

Mr. Dent objected to this question being put.

Mr. Whitbread said he would sooner take the opinion of the right hon. gentleman opposite than the witness; for he could give a decided opinion upon letters which he might be in the habit of receiving, while the witness was only accustomed to examine signatures.

Mr. Canning objected to the question, on account of its being of a disparaging nature to the witness.

Mr. Whitbread conceived, that although the witness came there involuntarily, yet he considered himself as a judge in such matters; and however able he might be to give an opinion upon mere signatures, yet he was incompetent to other points.

Upon the suggestion of Mr. Bathurst, the witness was recalled, and the question was put in the following manner:

Q. From your habits of business at the Bank, have you more frequent opportunities of comparing the general hand-writings of parties, than persons engaged in any mercantile or other counting-house in the City of London?

A. I am persuaded not, (*Hear! hear!*) and I have thought myself frequently incompetent to such kind of examinations, because my constant practice has been with respect to signatures only.

(*By* Mr. Barham.)

Q. You having stated that you had been occupied one hour in examining all the papers, inclusive of Mrs. Clarke's letters, what time did you devote to the examination of the three letters now in question?

A. I think it is probable that I might have been from half an hour to three quarters on the one, and the rest of the time on the various letters of Mrs. Clarke, and so on.

Q. Might

Might not the short note and
wo letters have been the hand-
ng of the same person, suppos-
he short note written in the
ing, and the two letters after
er, or *vice versa*?

I think that might possibly
been the case, but then that
en in the afternoon would have
much worse than that written
e morning.

If two powers of attorney had
presented to you for your exa-
tion, one in the hand of the let-
which was acknowledged to be
hand-writing of the party who
nted it, and the other in the
writing of the short note, with
observation would you offi-
have refused the acceptance
at latter power of attorney?

If there had been no other
umstances as collateral evidence
vour of it, I certainly should
demurred to the signature.

Have you not said, that writ-
differing as much as these, have
ately turned out to be ge-
e?

If I have not, I am persuaded
have done so.

he witness was directed to with-
.]

(THOMAS BATEMAN *was then led in and examined by the* ATTORNEY GENERAL.)

In what business are you?

In the service of the Bank of
and.

In what department?

My employment is the exa-
ng powers of attorney in the
place, as to the accuracy of
, and then examining their sig-
res.

he two letters and the note were n to the witness.]

Have you examined those two
rs and that note, for the purpose
scovering whether they are writ-
y the same person or not?

I have.

Q. How long have you been employed in the department in which you now are?

A. Nearly twenty years.

Q. You are still in that situation?

A. I am.

Q. You state, that you have examined these two letters and that note, for the purpose of discovering whether they are written by the same person? A. I have.

Q. Look at them now, and tell me whether they were in your judgment written by the same person?

A. I think there is a very correspondent similarity.

Q. In your judgment, is the note written by the same person as these letters were written by?

A. I can only say that there is a very remarkable similarity.

(By SIR JOHN SEBRIGHT.)

Q. Upon examining these letters and the note, have you any reason to think they were not written by the same person?

A. I have not any reason to think they were not; I have no reason at all upon that subject.

Q. Upon examining those letters and the note, have you any reason to think they were not written by the same person?

A. After what I have said, I think I cannot answer that question but in the way I have answered it.

Q. If two powers of attorney came before you, sigued, one in the character of the note, and the other in the character of the letters, would you have passed them both as written by the same person?

A. I think I should.

[*The witness was directed to withdraw.*]

(MR. THOMAS BLISS *was called in, and examined by the* ATTORNEY GENERAL.)

Q. What is your employment?

A. One of the Investigators of the Bank of England.

Q. What is your business in that department?

A. To examine and inspect into forged notes.

Q. How long have you been in that situation?

A. About fifteen years.

Q. Is it your business to discover whether the signatures to those notes are or are not genuine?

A. It is.

Q. Do you examine any thing but the signatures to those notes?

A. The whole of the notes; every writing on the note; it leads to many other things, the paper, the writing, the engraving, and the whole of the notes.

Q. Do you examine any writing upon the notes, except the signature?

A. Yes, very frequently.

Q. What part of those bills which you examine is written, except the signature?

A. The date and number.

A. Do you examine Bank Post Bills as well as Bank-notes? A. No.

Q. Then there is nothing of writing upon those bills you examine, but the dates, the numbers and the signatures.

A. Nothing else, except it might be writing by the public, at times, upon the notes.

[*The two letters and the note were shewn to the witness*] Q. Have you examined the two letters and the note now put into your hand, for the purpose of discovering whether they are written by the same person or not? A I have.

Q. According to the best judgment you can form, are they or are they not written by the same person?

A. I should suppose they were.

(By Mr. G. Smith.)

Q. Have you any doubt upon that subject at all?

A. From letters that I saw afterwards, I have some doubt; but if I had not seen any other letters, from the appearance of those I should have had no doubt.

Q. What letters did you see afterwards?

A. I saw different letters on the table where I examined these, that I was desired to look at, from I believed, N° 31 to 40 or 41.

Q. Is the Committee to understand, that, from the observation you have made upon the letters and the note you have just seen, you have no doubt but they were written by the same person?

A. I did not say I had no doubt, I said I thought they were.

Q. Have you or have you not any doubt upon that subject, alluding to to the three last letters you have just seen?

A. From the letters that I saw since, many of them seeming to differ, I have some doubt of it.

Q. Have you or have you not any doubt upon that subject, alluding to the three letters you have just seen?

A. From the examination of the three letters, which I looked at as carefully as possible, I thought they were all of one hand-writing.

Q. Whose letters do you imagine those were that you saw besides?

A. There were papers numbered in as far as 40 upon the table; I went at a late hour; only one being allowed to go in at a time, I looked only at ten, from 30 to 40 or 41; and I understood from those letters they were written by Mrs. Clarke.

Q. Explain how the comparison of Mrs. Clarke's letters induced you to doubt about the similarity of the three others.

A. After I had been desired to look at two letters, and the other, to compare the hand-writing, I was desired to look at the other letters, and compare them with the first two letters also.

Q. How did that comparison alter the opinion you had before formed?

A. Because, though they were written

written by one person, yet they differed in the writing; there were some very plain to read, and some more difficult to read; some written rather larger, and some rather smaller.

Q. I understand you to have stated, that the two letters and the note appeared to you at first to be of the same writing?

A. I did say so.

Q. Therefore, though these were written at different times, there appeared no great difference in the writing? A. There did not.

Q. How was that opinion altered by finding that another person did at different times write different hands?

A. From the difference of that hand-writing; some of them I compared, in some measure bore a semblance to the first two letters; if I had seen no others than the first two and the note produced to me, I should have been clearly of opinion, without any doubt, that they had been the same person's writing; but I explain now, from the ultimate judgment of what I looked at, which impressed upon me this, that the letters that I saw, though they were one person's writing, the writing differed materially, some very small and some larger, and from the very free easy running hand, some seem so exactly alike, and some different, that it would be doubtful to judge of that person's writing at all times, whether it was her writing or not.

Q. Is it from those letters differing amongst themselves, or from some of them agreeing with the two letters now shewn to you, that your doubt arises?

A. It is from some of those letters being differently written of themselves, and some of them having a small semblance of the other writing.

(By the Attorney General.)

Q. Did those letters most resemble the two letters or the note?

A. One or two of the letters resembled the two letters and the note.

Q. Is it from that resemblance that you doubt now that the two letters and the note were of the same hand-writing

A. The difference amongst themselves would be the only reason that would create any doubt in my mind.

Q. You have said, that some of those letters were in a large and some in a small hand, and yet you suppose them to be the writing of the same person?

A. I understood that they were the writing, and thought that they were the writing of the same person.

A. Is not the note in a smaller hand than the letters?

A. I think, as near as possible, the major part of it is the same size as the letters.

Q. Did you perceive any similarity between the hand-writing of any of the letters last shewn you, from 30 to 40, and the note?

A. There were one or two of the letters that I thought bore a semblance of the two letters and the note.

A. Is that the circumstance which led you to doubt at last whether the two letters and the note were written by the same person?

A. It certainly was.

[*The witness was directed to withdraw.*]

[*Brigadier General Clavering having sent a letter to the Chairman, requesting that he might be called to explain his Evidence.*]

Sir Matthew Ridley wished that he should be called in.

Mr. Beresford thought that all the witnesses whose testimony was material to the question before the House, should be first examined; he had no objection, after that, to admit General Clavering to explain what he had stated.

Mr. W. Wynne did not see how the House could refuse to hear General Clavering, after having already extended that indulgence to other witnesses.

(General Clavering *was accordingly called in, and examined by* Sir M. W. Ridley.)

Q. What part of the evidence, which you gave on a former night, do you wish now to explain?

A. There is a part of the evidence that I gave on a former night, that I wish to explain. But I request permission, before I explain it, to state why I requested to come forward this evening: It was intimated to me yesterday, by a friend of mine, and other members of the Committee, that an idea had gone forth, that part of the evidence I gave on a former evening was not correct; I certainly started at the idea, having been thoroughly satisfied in my own mind that it was my intention to state every thing to the very best of my knowledge. Yesterday, however, I referred to the minutes, which before I had not seen, and it did certainly appear to me that the answers I had given to the questions, were not perfectly such as I would have given, had I clearly comprehended those questions; and however extraordinary this may appear to the Committee, I pledge my sacred honour and word the mistake was perfectly involuntary on my part, and it was my entire intention, as well as my wish, to give every information in my power, and I should feel myself particularly honoured and flattered by as many questions as the Committee shall think it proper to put to me upon this occasion. With the permission of the Committee, I will now refer to the questions put to me on the former occasion. In page 153, the question was;—"Had you any communication whatever on the subject of Army Promotions with Mrs. Clarke?" My reply was, "I never proposed any conversation of that kind, nor do I recollect any ever having existed, except at the period I before alluded to, when she requested I would recommend to the consideration of the Duke of York Lieutenant Sumner of the 20th regiment." It is perfectly clear now to me, that by the addition of the word 'whatever' after 'communication,' an epistolatory correspondence was intended, but I certainly understood it to be a personal communication or conversation, for, in the two preceding questions, the idea of conversation, and conversation only, had been included; and in the following question likewise it appears also evident to me, that that was in the idea of the Honourable member who proposed it, that he meant conversation, for the question is, "Had you any incidental conversation with Mrs. Clarke upon that subject?" and my reply was, "A period of so many years having elapsed since that time, it is impossible to speak positively and accurately to a question so close as that, but, to the best of my belief, I do not think I had." The next question, and the reply, which I wish to advert to, is this:—"Do you, of your own knowledge, know that Mrs. Clarke used her influence in favour of any person whatever in the Army with the Commander in Chief?" My reply was, "I do not." I certainly did misunderstand that question altogether, and that I did misunderstand it, I have the most positive proof for stating to the Committee: one of the first conversations I had, after withdrawing from this bar, was with a noble relative of mine, a Peer of the Upper House, in which I stated (and he has

has authorized me to say, if it is necessary, he will confirm the same) that my surprise was, that a question had been put to me which I conceived concerned others, and that my regret was, that the question had not been put which did immediately concern myself, for if it had, I should have given that reply which, in my own mind, conveyed a thorough conviction that Mrs. Clarke never possessed that influence over the mind of His Royal Highness which it is supposed she possessed. I have nothing further to add upon that immediate head.

[Mr. W. W. Wynne desired that the five letters delivered in by Mrs. Clarke on the 13th instant, should be shewn to General Clavering, which being done, he asked if they were the hand-writing of the witness.

General Clavering.—They are my hand-writing.

(By Mr. Ward.)

Q. On the former examination, you were asked whether you had ever known of any person who had asked Mrs. Clarke to use her influence with the Commander in Chief? to which you answered positively, that you had not. When you were asked whether you knew of any transaction of that nature, you say you understood that any transaction in which you might have been engaged was excluded in the intention of the person asking that question?

A. I certainly did, both to that question and to the following one, for I conceived that my answer to the third question from the bottom, was an answer which applied equally to the two last.

(By Mr. Whitbread.)

Q. Did you or did you not ever, in writing or otherwise, ask Mrs. Clarke to use her influence in your behalf with the Commander in Chief?

A. I did.

(By Mr. Yorke.)

Q. Had it any effect?

A. I believe not.

(By Mr. Whitbread.)

Q. Did you obtain what you asked for?

A. I made two applications; I did not obtain the first, and I believe that what was granted me in the second, was not through her influence.

Q. Was it granted to you?

A. Will you permit me to answer that question not immediately directly; it was granted, but it must equally have been granted, and it could not have been denied me, if such application had not been made.

Q. Why then did you apply through Mrs. Clarke?

A. Were I permitted to state the circumstances, I believe it would be better understood than by any other answer. *(Go on! Go on!)* In the year 1803, I was placed upon the Staff as an Inspecting Field Officer, as Colonel. In the year 1804, the Government thought proper to raise all the officers of the rank of Colonel to that of Brigadier-General; I received a notification from the War-Office, that I was appointed a Brigadier-General, and about a fortnight afterwards I received a second notification, to say, that my appointment was not to be that of Brigadier-General but Brigadier-Colonel. The circumstance appeared to me so extraordinary, that I wrote upon that occasion to Mrs. Clarke, to know if she could discover why the alteration was made from Brigadier-General to Brigadier-Colonel; she replied to me, that upon inquiry it was found to be a mistake, and that all the Brigadier-Generals who had been previously appointed and afterwards removed, were to be restored to their first appointments of Brigadier-Generals; and the reason was evident, it was supposed that the militia and the volunteers might possibly be assembled to act together; by the militia act, no Colonel in the army can command a Colonel of militia, consequently our appointment to the

the situation of Brigadier-Colonels would not have had the effect it was intended to have had; therefore, we were again appointed to our original situation, that of Brigadier-Generals.

Q. How came you to apply for an interpretation of any mistake, or any extraordinary circumstance, to Mrs. Clarke, and not to the office of the Commander in Chief?

A. Because, according to the custom of all offices, the persons holding the ostensible situations could not have given me the information that I desired, or rather, they would have been reprehensible if they had given it me, for in all probability, though they might have been acquainted with the reasons, they would not have been justified in declaring them.

Q. What secret source of information, which it would have been reprehensible for the ostensible officers in the office of the Commander in Chief to have given, did you suppose Mrs. Clarke to have?

A. I certainly did suppose that Mrs. Clarke was informed of what was passing in the War-Office. (*A Laugh.*) I mean generally in the office of the Commander in Chief, and therefore I had reason to suppose that she would give me every information that was in her power.

Q. What was the reason?

A. Because on any former occasion, as far as I can at present recollect, she had been always extremely communicative. (*A Laugh.*)

Q. From whom did you know or suppose that she derived that communication which she was so communicative of to you?

A. Certainly from His Royal Highness the Commander in Chief.

Q. How do you reconcile the answer you have last given to the answer you before gave; you supposed Mrs. Clarke to have no influence with the Commander in Chief?

A. The reply that I before gave, went to Mrs. Clarke's influence over His Royal Highness in the distribution of military promotion.

Q. *Of* the two applications which you state yourself to have made through Mrs. Clarke, which was the one that was successful, whether by her influence or otherwise?

A. If I recollect rightly, I had before the honour of stating, that the rank of Brigadier-General was restored to me, which I could not have been denied; it was granted to all the Colonels of the regular service of the year 1802, in which brevet I was, with others both above and below me, and consequently it could not have been denied me without a marked stigma.

Q. Which of the two applications, which you have stated yourself to have made through Mrs. Clarke, was successful, the first or the second, whether through her means or any other?

A. I certainly have to apologize to the Committee if I have not made myself understood.

Q. What were the two things which you applied for?

A. The first circumstance upon which I wrote to her was, or rather a letter was written, which I was accessary to, it is immaterial whether I wrote it or not, was relative to the raising a regiment. I was given to understand that she had very great influence in military promotions, and I conceived, therefore, it would be a fair speculation to try whether that influence did exist or not; a letter was accordingly written to her, stating that in case she obtained me permission to raise a regiment, she should receive 1,000*l.* She wrote me, in reply, that His Royal Highness would not hear of it, or scouted the idea, or words to that effect; and consequently from that answer it was my decided opinion that she did not possess an influence over His Royal Highness in the distribution of military promotion.

Q. Did you in point of fact obtain leave to raise that regiment?

A. I did not.

Q. Did you make a second application, and what was that application for?

A. The other application, if it may be so termed, was not for any promotion, but to know the reason why, after

aving been appointed a Brigadier-eral, I was reduced to the situation Brigadier-Colonel.

. Have you ever made any other ication to Mrs. Clarke for informa- for promotion, for exchange, or ny other thing?

I cannot bring to my recollec- that I ever have made any other ication to her upon any one of : subjects mentioned, but if any ie hon. gentlemen here can give he smallest clue to guide my re- ction, I shall be extremely happy ive every information in my er.

, Being convinced in the first in- e by the Duke of York's having, rs. Clarke informed you, scouted dea of your being permitted to a regiment, for which you made ffer of 1,000*l.* and having from e inferred that she had no in- ce; how came you to make any d application to her?

. If I am correct, I before stated I was satisfied, from His Royal ness's answer to her, if such was nswer, that she did not possess influence over him in the point of ary promotion; that His Royal ness might have permitted her k upon military subjects, but that military promotions she had no ence.

Do you know that at the time made application through Mrs. e for leave to raise a regiment, officer received that permission h was refused to you?

If my memory serves me right, were three or four young regi- s raised at that time in Ireland, ot in this country.

Were they raised upon the same with regard to the payment of , as the tender made by you for your men?

They were not; my proposal fars I can recollect, (for I had that till I saw it in the evi- My proposal was to raise them militia; the regiments in Ire- raised with a bounty.

Whom did you receive the information first, that Mrs. Clarke had influence with the Commander in Chief relative to military promotions, which induced you to have the first letter written, or to connive at the writing of the first letter to Mrs. Clarke, in order to obtain that influence in your favour?

A. My information upon that head was merely report, but the letter alluded to was suggested to me.

(By Mr. Ward.)

Q. Had you ever any other than a written communication with Mrs. Clarke upon the subject of your own promotion?

A. To the best of my opinion, I had not; the reason why I think so is, that at that time I was stationed at a distance from London.

(By Mr. Martin.)

Q. Is the Committee to understand you to have said, that if you had applied to the War-Office for information, after its having been notified that you were a Brigadier-General, and your being put back to the rank which you call Brigadier-Colonel, you would not have obtained that information?

A. I do not think that I should, nor should I have made the application, conceiving that such application would have been improper.

Q. Why then do you suppose you could obtain information respecting military arrangements from Mrs. Clarke, which you could not obtain from the War-Office?

A. Because I see a considerable degree of distinction between making application for information to a lady of the description that she then was, and making it to those official persons who would not have been justified in giving me the information that I desired.

Q. What reason had you for thinking that Mrs. Clarke had information of what was passing at the War-Office; which information would have been refused to military officers regularly applying?

A. Because I was of opinion that by her influence over the Commander in Chief, which she described herself to

me

me to possess, she could obtain any information of that description.

Q. How is the Committee to reconcile that declaration with that which you have made, that you did not then believe her to have any influence over the Commander in Chief?

A. If I am correct, I before said, that the influence she possessed over His Royal Highness the Commander in Chief did not go to the distribution of military promotions.

Q. Did it then go to the obtaining information of regulations in the War-Office, which regulations were withheld from public notice?

A. As she always gave me to understand she could procure almost any promotion whatever, I conceived that the only way to obtain that which I wished for, was by application to her.

(By Mr. Whitbread.)

Q. Did you in point of fact obtain the information you sought for through her means?

A. I did not, the information that I received was, as far as I can recollect, that there had been a mistake in removing us from the situation of Brigadier Generals to Brigadier-Colonels, and that that mistake was shortly to be rectified.

Q. Was that or not the information you did wish to obtain?

A. It was not the information that I wished to obtain, if I am perfectly correct, because I do not think she stated the reason why we were removed from the situation of Brigadier-Generals to Brigadier-Colonels. I hope the honourable Committee will excuse any mistake I may make in this, for there has a period of several years elapsed since this correspondence, and I may fall into an error: it is my endeavour to give every information in my power.

Q. Look at the letter in the Clerk's hand and read it. [*A Letter, dated the 11th of November* 1804, *was shewn to General Clavering*] You there express your thanks to Mrs. Clarke *for her attempts to serve you, though unsuccessful.*

A. I am of opinion that must have alluded to her not being able to obtain me permission to raise a regiment.

Q. You speak further on the coming to town; when you and Mrs. Clarke met, did any conversation arise as to military promotions, or military matters?

A. It is above five years since I wrote this letter, and I am sure it is impossible for any person whatever to recollect any conversation of so trivial a nature after so long a period.

Q. You have positively stated in your former examination, that you never had any conversation; you have referred the explanation which you wished to give to the Committee to-night, to the difference between communication and conversation, and that conversation you understood the question to refer to, do you now adhere to the answer of the former night, that you never had any conversation with Mrs. Clarke on the subject of military promotions, or military matters?

A. I do not recollect having had any conversation with her upon the subject; it is possible that something tending to it in the course of conversation might have been alluded to, but at this distance of time I cannot charge my memory with it.

Q. Having stated, that in the original application to Mrs. Clarke you proffered her the sum of 1,000*l.* to obtain that which you wished at the time; did you ever, on any other occasion, make her an offer of money, or any valuable consideration of any kind, for the purpose of obtaining her supposed influence with the Commander in Chief?

A. I am positive I never did.

Q. Did you ever, without making any previous offer, make her any pecuniary recompence, or give her any valuable consideration for any service she might have done you, or endeavoured to do you with the Commander in Chief?

A. I never gave her any thing in my life, unless it might be accidentally; being in the room when the

millines

milliner brought her a shawl; I told the milliner she might call upon me for the payment for it.

(By Sir T. Turton.)

Q. I understood you to say, that you consider Mrs. Clarke to have very little, if any influence with the Commander in Chief, on military promotions? A. Yes.

Q. Do you found your opinion on the refusal to allow you to raise a regiment, or have you any other reason for that opinion?

A. I ground my opinion upon my own case, and also conversation with various military officers upon the subject; for though various reports have gone forth, to the prejudice of His Royal Highness, upon that subject, I never heard of any one case that could be brought home, nor do I believe there is any such case.

(By Sir J. Sebright.)

Q. Did you ever apply to Mrs. Clarke, by letter or otherwise, to get you put upon the Staff?

A. I was placed upon the Staff upon the 24th of September 1803, as the Gazette of that date will show; and His Royal Highness's first acquaintance with Mrs. Clarke did not commence till four months afterwards, in the month of January 1804.

Q. Did you not write a letter to the Attorney General, desiring that you might be examined at the Bar of this Committee upon this subject?

A. I did, and I should be extremely happy to state the reason why I wrote that letter.

Q. Acknowledging, as you have done, that you have written letters to Mrs. Clarke upon the subject of military promotions, and also have had conversations with her upon that subject, state with what view you wrote that letter to the Attorney General?

A. About a day or two after this inquiry commenced, I perceived in the public papers that my name had been introduced, and apprehensive that His Royal Highness might suppose that I had been engaged in any improper military transactions, I went down to the Horse Guards, to explain the transaction to Lieutenant Colonel Gordon; Colonel Gordon did not see me, but referred me to Mr. Lowten. I called upon Mr. Lowten, and he put various questions to me; and after my replying to those questions, he told me it would be necessary for me to go down to the House to be examined. I replied to him, that was what I should wish particularly to avoid; but that if he stated absolutely it was necessary, I certainly would attend, but that it was the farthest from my wish. When I did come down here, it was deemed right I should write a letter to the Attorney General, and accordingly such letter was written, and I stated in it, that I appeared here at Mr. Lowten's desire: after reading that letter to Mr. Lowten, and two other gentlemen who were present, it was observed by one of them that Mr. Lowten's name should not appear, in consequence of his being agent for his Royal Highness, consequently Mr. Lowten's name was expunged; and therefore it appeared I was a voluntary witness upon this occasion, whereas I was not so, but came forward at Mr. Lowten's desire.

Q. Why, after the evidence you have given here before the Committee, did you write to the Attorney General, with a view of shewing you knew nothing at all about these transactions?

A. The hon. member who puts that question is under a mistake, I never wrote such a letter.

(By Mr. Taggart.)

Q. With what view did you write the letter to the Attorney General; and why, after having written that letter to the Attorney General, offering to do away the evidence of Mrs. Clarke, do you come to give the evidence which you have given at the Bar of this Commjttee? (*A laugh.*)

A. I am very sorry to say I do not comprehend the question. (*Hear! hear!*)

Q. With what view did you write that letter to the Attorney General?

A. Mr. Lowten stated to me, that he conceived my evidence would be of considerable consequence in this House; and therefore, as it was absolutely necessary that I should be introduced to this House, a letter was written to the Attorney General, as the best mode of bringing me forward.

Q. Did you inform Mr. Lowten of all your transactions with Mrs. Clarke, at the time Mr. Lowten gave you that advice?

A. I did not, of all of them.

(*By* Mr. Whitbread.)

Q. It stands upon the minutes of the evidence, that "Brigadier-General Clavering having stated to a member of the House that he was desirous of being examined, Brigadier General Clavering was called in, and examined by the Committee as follows: Have you sent a letter to me (namely, the Attorney General) this evening? A. I did so.—Q. Desiring that you might be examined? A. I did so."—I understand that you presented yourself as a voluntary witness; you state now, that you were willing to be examined, but were desired by Mr. Lowten to be examined; do you mean to state that you were a voluntary or an involuntary witness at this Bar?

A. I have no objection to state, that it was the last wish of my heart to be examined at this Bar. Mr. Lowten stated, it was extremely desirable that I should be examined, and therefore I acceded; and I apprehended the distinction between a voluntary and an involuntary witness to consist in this, that I was not summoned to attend at the Bar.

Q. Did Mr. Lowten represent to you what his reason was for wishing you to put yourself forward, instead of a summons being issued to you in the usual way?

A. He did not state any thing upon that subject.

(By Mr. Percival.)

Q. For what purpose did you go down to the Horse Guards, and afterwards go to Mr. Lowten?

A. I was anxious to remove from the mind of Lieut. Colonel Gordon any idea that I had been concerned in any traffic in commissions, as appeared in the newspapers. Colonel Gordon refused to see me, and referred me to Mr. Lowten.

Q. Were you desirous to do away that impression from the mind of Colonel Gordon at the time you recollected that you had offered that 1000*l.* for a commission?

A. I was desirous of removing from his mind any unfavourable impression that might have occurred from reading the reports of what had passed in this Committee

Q. Were you desirous of doing so, by stating the true state of the facts to Colonel Gordon, or concealing it?

A. It was my intention to have stated the fact which was alluded to in the preceding evening, in which my name was brought forward, and that was relating to Lieut. Sumner.

Q. Was it for the purpose of contradicting that fact, that you went to Colonel Gordon?

A. It was for the purpose of explaining the mode in which my name came to be introduced by Mrs. Clarke, in the transaction in which Lieut. Sumner's name was brought forward.

Q. Did you mention to Mr. Lowten this transaction, of the offer of the 1000*l.* to Mrs. Clarke?

A. I believe I did not; but I should have had no scruple in doing it, for I had mentioned it to a thousand persons before.

Q. Are you sure you did not mention it to Mr. Lowten?

A. I think I did not.

Q. Were you appointed a Brigadier General in a District, after having been Inspecting Field Officer of a District?

A. I was continued in the District to which I was originally appointed.

Q. Had

d you the rank of Brigadier
ıfter having been Colonel or
olonel Inspecting Field Of-

s promoted in common with
icers of the same rank with
the same time.
l you apply to Mrs. Clarke
subject of that promotion,
r indirectly, by letter or in
on?
quite certain that I did not
her upon it; and I am the
more certain, because I recollect that the first information I received of any of the Brigadier Generals being to be appointed, was about a month before it became public, and that was from her.

Q. Was that information communicated to you privately as a secret?

A. It was communicated by letter, but no secrecy enjoined, to the best of my opinion.

[*The witness was directed to withdraw.*]

W. WYNNE expressed much concern at the duty which
ıcumbent on him at that moment; but, disagreeable as it
is feelings, his duty compelled him to move, "That Ge-
avering had been guilty of gross prevarication in the testi-
: delivered to the Committee."

RAL MATHEW said he had known the witness long; he
wn him to be a man of honour: and he could see no
for charging him with prevarication.

WHITBREAD was sure, that, with the exception of his
nd, on whom private friendship had produced such an im-
, the House would be of one opinion as to the charge.

PERCEVAL thought that the hon. gentleman should not
ntented himself with simply moving the resolution, but
roceed to state the grounds on which he thought the charge
rication was established.

WYNNE stated, that he had adopted such a course, in
ı of the precedent of a former night—he was not acquaint-
he witness, and therefore could not be biassed by personal
he had no objection to state the points in which the wit-
eared to him to have prevaricated.—Here he pointed out
tances, and concluded with observing, that unless Gen.
g experienced the same treatment as had been adopted to-
aptain Sandon, the public would be led to think that the
ad drawn exceptions in favour of rank; perhaps they might
as to alter their opinion of its character, and conclude that
longer a place in which justice was distributed.

YORKE wished the evidence to be read over before he form-
ınion, as he had not distinctly heard it. The novelty of
ıtion, and the agitation of such an assembly, were calcu-
affect men of the strongest minds. He could not believe
an of the rank and character of General Clavering, would
ily come forward to prevaricate. He trusted that the atten-
the Committee would not be confined to inquiry into the
York's conduct; but that there should be an inquiry also
conduct of witnesses who had been guilty of contradiction,
ıowledged themselves accessary to acts of swindling. He
ıat the Attorney General would take care of such persons.

Sir John Sebright was of opinion that the witness (General Clavering) had grossly prevaricated.

Sir Thomas Turton said, he was convinced the witness came forward with the most pure intention; and the Committee should consider the conduct of other witnesses, before they should come to such a harsh resolution.

Sir John Sebright explained, and begged to bring to the recollection of the hon. Bart. that General Clavering came to the Bar, subsequent to the writing of his letters to Mrs. Clarke.

Sir James Pulteney said, he could not deny the witness had given bad evidence, yet he had not withheld the truth from them. He had given the worst against himself, as he told them he had offered Mrs. Clarke 1000*l.* to forward his preferment.

Mr. Wilberforce said, if he were called on to give his opinion, it would be for the commitment of General Clavering. If he had presented himself before the Committee, the day subsequent to his last examination, there might be some excuse for him; but when he took eight or ten days to consider, he ought to have come prepared. He thought there was no excuse for his prevarication; he hoped the Committee would not allow it to be supposed that the rank of one person should screen him from falling under, and feeling the displeasure that an inferior officer had suffered for the same contempt.

Mr. Perceval did not think it possible that the Committee should think the witness had prevaricated. There certainly were some contradictions in his evidence. He thought the proper time to take it into consideration was, when the general examination into the evidence of witnesses took place.

Mr. C. W. Wynne observed, as he found the Committee not unanimous, he would withdraw his motion; at the same time he wished it to be understood, that he conceived himself, at any future period, to be entitled to renew it.

The Chairman informed the Committee, that he had received a letter from Major Ximenes, praying to be called to the bar, to vindicate his character. *(A loud cry of No, No.)*

(Mr. Greenwood *was then called in and examined by* Mr. Abercromby.)

Q. Is there any part of your evidence, respecting the appointment of Mr. Elderton, which you now wish to correct? A. Yes.

Q. State what that part of your evidence is?

A. I there mentioned some unfavourable reports which I had heard of him, as having heard of them before the appointment took place; it now appears, upon referring to the transactions of that period, that those reports were not received till after the appointment had taken place.

Q. Is there any other part of your evidence on that subject which you wish to correct? A. No.

[*The witness was directed to withdraw.*]

(Colonel Gordon *was called in and examined by* Mr. Huskisson.)

Q. Do you recollect the date of Colonel Clinton's leaving the office of Public Secretary to his Royal Highness the Commander in Chief, and of your succeeding to him?

A. It

A. It was on the 26th of July, 1804.

Q. On the 26th of July, had the name of Captain Tonyn been sent in to his Majesty for promotion to a Majority?

A. No, it had not.

Q. Then, if any person could state at that time that Captain Tonyn would appear in the Gazette of the following Saturday, that person must have been either entirely ignorant of the course of office, or must have intended to deceive the person to whom such information was given?

A. I should suppose so.

Q. In point of fact, would it have been possible in the course of office, between the Thursday and the Saturday, to have received his Majesty's pleasure respecting that promotion?

A. It would certainly have been possible to have received his Majesty's pleasure on the Thursday or the Friday, supposing the thing to have been so settled.

Q. In the usual course of office could that have taken place?

A. Supposing the thing to have been settled, it might certainly have been so.

Q. On what day was Captain Tonyn's name sent into the King for promotion?

A. I have not got the documents with me, but I think, upon recollection, it was the 9th of August.

Q. Then he did not appear in the Gazette either the Saturday, the 28th, or of the Saturday following?

A. No, I think not, but I have not got the documents at hand.

[The following entry was read from the Gazette of the 18th August, 1804, page 999:

"31st Regiment of Foot, Captain Alexander Keith, to be Major.—Captain George Augustus Tonyn, from the 48th Foot to be Major."]

Q. You will observe that Major Leith's commission is dated the 1st of August, and Captain Tonyn's the 2d; can you state the reason of Major Leith's being dated the day preceding?

A. They were both promoted at the same time, and Major Leith had been the eldest captain.

Q. You have stated, that the King's approbation to Major Tonyn's promotion was obtained on the 9th of August, he appears in the Gazette of the 18th; in case the Commander in Chief had thought it right on the 16th of August to stop the publication of Major Tonyn's promotion in the Gazette of Saturday the 18th, he could have done it?

A. Yes, he might.

Q. Is there any instance, in point of fact, of the Commander in Chief directing the publication of promotions in the Gazette to be stopped, after they have received the approbation of his Majesty?

A. Yes, very frequently casualties happen between the periods of gazetting, and the periods of submitting them to the King; consequently such appointments are not gazetted.

Q. Then if the Commander in Chief had sent an order on the 16th, to you or to the proper department, to stop the publication of Major Tonyn's promotion, it would not have appeared in the Gazette of the 18th?

A. If the Commander in Chief had sent such an order, it probably would have been suspended.

Q. In point of fact, do you know whether any such order was sent?

A. I think it was impossible, I should have had some recollection of it, and I cannot find any trace of such a thing.

Q. And it was not suspended?

A. It was not, it was gazetted among other promotions.

Q. Do you know where the Commander

mander in Chief was on Thursday the 16th of August, 1804?

A. I cannot take upon myself to say positively where he was, but the 16th of August is his birth day, and he commonly passes it at Oatlands.

Q. Do you know whether he was at the Horse Guards on the following day, the 17th of August?

A. I cannot take upon myself to say, but it is a point very easily ascertained by reference to the dates; I have not the papers at hand to answer so precisely as that.

Q. Do you recollect the Commander in Chief applying to you, either verbally or in writing, between the 16th and 18th of August, to ask you whether he was in time to stop the publication of Major Tonyn's promotion?

A. No; I have no such recollection.

Q. Can you inform the Committee, whether any officer of the name of Aslett is to be found in the army list for that time?

A. I have caused reference to be made to the army list, and no such person's name could be found in the list of the army.

Q. Was there any Major of the name of Bligh promoted about that time?

A. I have caused a similar reference to be made to the army list, and I can find no such person.

Q. Do you know whether an officer of the name of Bligh was removed about that time from the half-pay of the 54th foot, to be lieutenant-colonel of the 14th?

A. On inquiry, the only officer of the name of Bligh who was removed about that time, was the honourable Colonel Bligh, who was removed from the half-pay to a regiment of foot.

Q. What was his standing as lieutenant-colonel in the army?

A. I really do not know, but a reference to the army list will point it out at once.

Q. Then in point of fact, there was no Major of the name of Aslett, and no Major of the name of Bligh, promoted or removed about that period?

A. None that I know of.

Q. Do you know of any officer of the name of Bacon, in the army?

A. There is a Captain Bacon in the army, but I have no knowledge of him whatever.

Q. Did he apply for promotion about the period of July, August, or September, 1804?

A. Not that I know of.

Q. Do you know any thing of an officer of the name of Spedding?

A. I find upon inquiry there was a Captain Spedding in the 48th regiment at that period.

Q. Are there any documents in your office, respecting this officer's applications for promotion?

A. I think I have the documents here. It appears he applied for promotion, and was refused; and he then applied to go upon the half-pay, which was granted, and he is now, I think, upon the half-pay.

[Colonel Gordon delivered in the papers.]

"In August 1804, Captain Spedding of the 48 Reg. applied for Promotion (No. 1), and he was known to Sir Alured Clarke, an Application was made to the latter for the Character of Capt. S. by whose answer (No. 2), it appears that Sir A. C. does not recollect such an Officer.

"In Nov. 1804 Capt. Spedding applied to be placed upon ½ Pay (No. 4), on account of a large Family, and an Intricacy which had recently occurred in his private Affairs."

["Capt.

[" *Captain Spedding was accordingly placed on ½ pay 23 Nov. 1804.*"]

No. 1. 34

The Memorial of Captn John Spedding, 48th Regt.

28th August, 1804.

Not to be noted until a fair report shall be received from the Reg.

" To his Royal Highness Field Marshal the Duke of York, Commander in Chief.

" The Memorial of John Spedding, Captain in the 48th Regiment of Foot;

" Humbly Sheweth,

" That your Memorialist is a Captain of 1798—Has served the greatest part of his Military Life in the West Indies, and was never absent during the whole Period from Duty.

" Your Memorialist most humbly prays that your Royal Highness may be graciously pleased to grant him Promotion.

And your Royal Highness's Memorialist,
as in Duty bound,
will ever pray."

" August 28th, 1804."

" Enquire of Sir Alured Clarke of the character of this Officer, to whom it is understood he is known."

No. 2. 62.

General Sir A. Clarke.

7th Novr. 1804.

Put by.

" Rhual, near Chester, Novbr 7th, 1804.

" Sir,

" Your letter of the 29th Ultimo directed to my House in Town was *forwarded to this* place; but having been absent for a few days

days, I did not receive it till yesterday, which will, I hope, sufficiently account for my not returning an earlier reply to his Royal Highness's Commands. I cannot at present call to my recollection having had any personal acquaintance with Captain John Spedding of the 48th Regiment, and consequently cannot give the Commander in Chief the information he requires; or offer any opinion as to that Officer's merit. I have been so many Years employed abroad on the Public Service, and in such various parts of the world, that it is not impossible but Captain Spedding may have served under my Orders; and I should be extremely sorry if my immediate want of recollection of it should operate to his disadvantage; if, therefore, he should be able to refresh my memory respecting him, by any communication he may think fit to make, I shall have great pleasure in doing him Justice, and obeying His Royal Highness's Commands.

I am, Sir, with great respect, and regard,
Your most obedient
humble servant,
ALURED CLARKE."

"Lieut. Colonel J. W. Gordon,
Secretary to H. R. H. The Commander in Chief,
&c. &c. &c."

N°. 3.

48 Foot.

Mem^n 23 Novr 1804.

Agreed to.

Return this to J. M.

"Sir, "Strand, 14 Nov. 1804.

"I am directed by General Tonyn to transmit you the enclosed Memorial, which the General begs leave to recommend to the Notice of His Royal Highness the Commander in Chief.

I have the honour to be,
Sir,
Your most obedient humble Servant,
WM. GILPIN."

"Lieut Colonel Gordon,
&c. &c. &c."

Capt. Mr. Gilpin for Genl
information, that H. R. H.
es of Capt. Spedding re-
to 1 pay, and will recom-
an Officer from that Est.
eed him."

" To Field Marshal His Royal Highness the Duke of York, and Albany, Commander in Chief of His Majesty's Forces, &c. &c. &c.

" The Memorial of Captain John Spedding of the 48th Regiment of Foot;

" Humbly Sheweth,

" That Your Royal Highness's Memorialist, on account of a ge Family, and an intricacy which has recently occurred in his ivate affairs, is desirous of retiring from the Service upon Half- ay.

" That he has been Ten years in the Army, three of which he s been in the West Indies.

" That in the year 1799 he obtained leave of absence from the th West India Regiment, wherein he then served as Captain, and terwards on the 17th October 1799 exchanged to Half-Pay with officer of the 2d Regt of the Irish Brigade, and did not upon at exchange receive any difference.

" That he was removed from The Half-Pay in July 1803, not his own request.

" Your Memorialist therefore humbly hopes that Your Royal ghness will be pleased to permit him to retire upon Half Pay: d Your Memorialist as in duty bound will ever pray.

" 10th November, 1804."

48 Foot.

Capt. Honble Geo. Blaquiere. ½

Memn 23 Novr 1804.

" *C. L.*"

' Capt. Blaquiere from ½ pay of Hompesch Dragns to be placed full pay in any Regt of Infy."

' *The Comr in Chief has approved of Capt. Spedding of the* 48 *gt being placed on ½ pay.*

' *Capt. Blaquiere may be appd to the Co.*"

2. Do you know what steps were en when Captain Spedding ap- d for promotion?

1. A reference was made to Sir ired Clarke, and it appeared that Alured Clarke had very little or knowledge of him. Sir Alured rke's letter is here.

2. Was there any expectation or ouragement held out to Captain Spedding, that he would receive promotion in answer to his application?

A. No, I think not. I find by a memorandum made upon the letter, that he was not to be noted until a favourable report should be received; in short, no notice was taken of his application; his Memorial is dated the 28th of August, 1804.

Q. Is the Committee to understand, that no notice was taken of his application, and no encouragement given to him between that application and the time he went upon half-pay, so far as the documents inform you?

A. None, that I know of.

Q. Do you know whether the Commander in Chief stopped all promotion in the 48th regiment?

A. I have no recollection of it.

Q. Does it appear by any document in the Office, that any reason was assigned to Captain Spedding of that nature, as the reason for not giving him his promotion?

A. I think not, I cannot find any such reason.

Q. If promotion had been stopped in the 48th regiment, is it not likely you must have recollected it?

A. Yes, I think so, some letter would have been written upon the subject, some correspondence must have passed.

Q. Then you do not believe that there was any order given to stop promotion in the 48th regiment?

A. I have already said I have no recollection of any such transaction.

Q. Have you any documents in your possession that will shew in what manner Major Taylor obtained his promotion to a Lieutenant-Colonelcy?

A. Yes, I have.

Q. Did he obtain it by purchase?

A. No, he ought not to have obtained it by purchase; he was recommended by the colonel of a new levy, Lord Matthew.

A. What was Lord Matthew's levy, an Irish levy?

Q. Lord Matthew raised the 99th regiment, and by his letter of service was to recommend the officers; his letter of service I have now in my hand, and Major Taylor is at the head of it.

Q. Then the Commander in Chief could not do otherwise, under the conditions of that levy, than accept the recommendation of Major Taylor to be a lieutenant-colonel, if he had served the time prescribed by the regulations of the army, to be qualified to hold that rank?

A. I cannot say that the Commander in Chief could not do otherwise, but it was a transaction perfectly regular, and in the due course of business.

Q. In point of fact, was Lord Matthew, as the officer who had undertaken to raise the new levy, to recommend a lieutenant-colonel?

A. Certainly.

Q. Then is the Committee to understand that Major Taylor obtained his promotion in consequence of this levy?

A. Certainly, I know of no other cause whatever.

[Colonel Gordon delivered in the papers.]

Major Taylor, 25th Foot.

1st October 1804.

"To Field Marshal His Royal Highness the Duke of York, Commander in Chief, &c. &c. &c.

"The Memorial of Major John Taylor of His Majesty's 25th Regiment of Foot;

"Sheweth,

"That your Memorialist served during the Rebellion of 1798 in Ireland, as Brigade Major and Aid-de-Camp to Maj. Gen[l] Trench, in which situation he remained until the month of August 1799; knew

when Maj. Gen. Hutchinson, having been appointed to the Staff of the army about to embark for Holland, was pleased to nominate Memorialist as his Aid-de-Camp, in which station he served the campaign of that year. That Memorialist in 1800 accompanied the expedition under Lieut Gen.l Sir R. Abercrombie to the Mediterranean, and landed with the Army in Egypt; Memorialist served the former part of that campaign as Aid-de-Camp to Lord Hutchinson, who was pleased to nominate him to the situation of Deputy Adjutant General, upon Col. Abercrombie's succeeding B. Gen. Hope, as Adjutant General, the latter having been appointed to the command of a Brigade: That in 1801 Your Royal Highness was graciously pleased to obtain from His Majesty the rank of Major, for Memorialist, and lately to appoint him to a Majority in the 25th Reg.t of Foot.

"Memorialist therefore relying on your Royal Highness's goodness, presumes to hope that your Royal Highness will not deem it improper, under circumstances which he has had the honour to submit, to express an humble hope, that, should an opportunity occur of promoting him to a Lieutenant Colonelcy in one of the new Batallions, Your Royal Highness will be graciously pleased to include him in the list of promotions.

J. Taylor,
Major 25th Foot."

"Gordon's Hotel,
Albemarle-street,
1 Oct. 1804."

"Major of 1801, and just promoted to the Majority of the Reg.t

"Considered with others, having equal pretensions; but no favo.ble Opp.y at present."

99th Foot.

Mem.a 28th Feb.y 1805.

"C. L."

"Compare this List with that already in your possession.

"Col. Gordon: *If you wish to shew these to H. R. H. to-day."*

"Sir, "By direction of Lord Mathew, we have the honour to request Your Royal Highness will be pleased to recommend

commend to His Majesty, the Officers whose Names are contained in the inclosed List, for Promotion and Appointments in His Lordship's Regiment.

We have the Honour to be,
With great deference and respect,
Sir,
Your Royal Highness's
Very faithful and devoted Servants,
GREENWOOD & COX.

"Craig's Court,
23d Febv 1805."

"Field Marshal His Royal Highness
The Duke of York,
&c. &c. &c."

For LORD MATHEW's LEVY.

John
Major Taylor, 25th Regt. to be Lieut. Colonel — *His name has never been before submitted for H. R. H's approbation, nor is he included as recomd by Lord Cathcart.*

Dec. 1802	*John* Captain Donial, 30th	- - - -	Major	*Do.*
20 *Oct.* 1802	*John* Captain M'Donald, 89th	- - -	Do	
	Mathew			
10 *Feb.* 1803	Lieut. Millet	- 53d - -	Captain	*Ld C's approbn*
9 *July* 1802 *Restored to Full Pay May* 1784.	*Samson* Lieut. Stewall	- 54th - - -	Do	*Comr in C's Do.*
	P. C.			
17 *Jan.* 1802	Lieut. Westlake	- 25th - - -	Do	*Ld Cathcart's Do.*
	Licut. M'Mahon	- 15th - - -	Do	*Refused as he asked to retire to ½ Pay.*
	Geo.			
16 *July* 1800	Lieut. Tryon	- 47th - - -	Do	*Not appd either by the C. in C. or Ld C.*
	Chas			
26 *May* 1803	Lieut. Tryon	- 81 - - -	Do	*Do.*
26 *June* 1801	Lieut. H. Fitzgerald	40 47 - -	Do	*Appd by the C. in C.*

Ret-

Restored to full Pay in Aug. 1804 } G. Ensign O'Farrel, *Irish Brigade*, 96 *foot* Lieutenant *Ld Cathcart.*

Entd. Army in 28 Aug. 1804. } *Joshua* Ensign Wilson N. S. Wales Corps, Lieutenant *C. in C's leave.*

Do. 5 *Oct.* 1804 *J. M.* Ensign Callimore 82d Regt - Lieutenant *Do.*

Do. 15 *Aug. Do.* *Thos* Ensign Vivian - 10th - - - Do *Do.*

Do. 7 *Sept. Do.* *John* Ensign Thompson 72 - - - Do *Not appd either by H. R. H. or Ld Cathcart.*

Ensign *M'Dermit* Roe, Irish Brigade Do *Not on full Pay.*

Ensign *Waldron* 57th - - - - Do *On ½ Pay.*

Do. in 8 *Dec.* 1804 *D.* Ensign Ennis - 47th - - - - Do *Appd by H. R. H.*

Ensign Armstrong - - - - - Ensign
Ensign Atkinson - - - - - - Do
Ensign Conway - - - - - - Do
Ensign Mireyth - - - - - - Do
Ensign Lawrence - - - - - - Do
Ensign Taylor - - - - - - Do

STAFF.

Thomas Sadlier - - Paymaster - - *Must be recomdd by the Secy at War.*

Willm Blair - - - - Adjutant - -
Willm Mathew - - - Quarter-Master
Thos Creswell - - - Surgeon - -
John Hill - - - - *Assist Deputy* Surgeon
Roger Hanley - - Assistant Surgeon
Must be recomd by the Med. Dep.

*** The Words Lieut. M'Mahon, Irish Brigade, M'Dermit, Waldron, Deputy, printed in Italics, and the Figures 40 47 after Lieut. H. Fitzgerald, are in the original marked over with a pencil.

Q. Does it appear that he applied for leave to purchase a Lieutenant-colonelcy?

A. I do not find any such application.

Q. Have you any documents respecting the promotion of Captain Ximenes to a Majority in August 1804?

A. Yes, I have.

Q. Where was Captain Ximenes when he was promoted?

A. With his regiment in Canada.

Q. Was he an old Captain in the army?

A. Yes, he was a Captain of 1794, of ten years standing.

Q. Was he of that class of Captains from his standing who was entitled, according to the view you take of the pretensions of officers of that rank and time, to a Majority?

A. Yes, he was.

[Colo-

[Colonel Gordon *delivered in the Papers.*]

"Ximenes was a Capt. of Nov. 1794, and promoted to a Majority in the 62d Regt on the 28th Aug. 1804, in consequence of the accompanying Applications from his Brother."

1

Capt. Ximenes, Wargrave Rangers.
29th April 1804.

"N° 4, Weymouth-Street, Portland-Place,
"Sir, 29 April 1804.

"My Brother Captn David Ximenes of the 29th Regt (now at Halifax), being a Captn since 1794, induces me, in his absence, to have the honor of requesting you'll be pleased to interest yourself with his Royal Highness the Commander in Chief, for the purpose of obtaining him permission to enter on an arrangement (*by me*) for raising men under the late regulation, for a Majority for him. I was very successful in raising a large proportion of the late Windsor Foresters Fen. Cav. in which I served from its commencement to the general reduction of Fen. Cav. in 1800. I will use every exertion till his return, which I humbly hope, in consideration of his being a Captn of near ten years standing, and having purchased every step, his Royal Highness will graciously permit; and I beg leave further to state, that when he was on the recruiting service he was very successful.

I am, Sr,
With the utmost respect,
"Col. Clinton, &c. &c. &c." Your most Obt Hble St
Moris Ximenes,
Captn Comt Wargrave Rangers."

To be noted.

1

Maidenhead, 22d Augt 1804.

"The Memorial of Capt. M. Ximenes of the Wargrave Rangers, in behalf of his Brother, Capt D. Ximenes of the 29 Regt.

His Brother's claims will be considered.

"To Field Marshal His Royal Highness the Duke of York, Commander in Chief, &c. &c. &c.

"The Memorial of Captain Moris Ximenes, Commandant of the Wargrave Rangers, on behalf of his Brother, Captain David Ximenes of the 29th Regiment of Foot, now on duty wtth his Regiment:

"Most

"Most humbly Sheweth,

"That your Memorialist having seen in the Gazette several Captains promoted to Majorities, junior to the abovesaid Captain David Ximenes of the 29th Foot, most humbly prays that Your Royal Highness will be pleased to take his said Brother's length of Service (being nearly ten years a Captain) into consideration, and recommend him to His Majesty for promotion.

And your Memorialist will ever pray.

M. XIMENES."

"Bear Place,
Maidenhead
Berks,
28d August, 1804."

"Capt. D. Ximenes,
29 Regt."

"He is Captain of 1794, & a young man—does your R. H. approve of his being noted for promotion—he is abroad with his Corps."

"Approved,
C. L."

"I have posted Capn. X to the 62d.
J. W. G."

1

London 23d Decr 1804.
Major Ximenes, 62d Regt.

"New Hummums,
Decr. 23, 1804.

"Sir,

"I'll thank you to have the goodness to inform his Royal Highness the Commander in Chief, of my arrival here, and of my readiness to join the Regiment, to which his condescending kindness has promoted me; for which promotion I should be happy to return thanks personally to his Royal Highness.

I have the honor to be,
Sir,
Your most Obt Servt,

D. XIMENES,
Major 62d Regt."

"Lt Coll Gordon,
&c. &c. &c.
Horse Guards."

Major Ximenes 62d Regt	For your R. Highness's perusal.	He must join his Regt.

(*By* LORD FOLKSTONE.)

Q. Was the levy of this regiment of Lord Matthew's completed?

A. It is actually now a regiment of the line, and serving, I think, in the Bahamas; it is the 99th regiment.

Q. Was it completed in the year 1804?

A. It was so far completed as to entitle him to recommend his officers; it was completed according to his letter of service, at least I believe so; it was regularly inspected by the commander of the forces in Ireland, and I know nothing to the contrary.

Q. You

Q. You observe in the statement of Colonel Brooke's services, he is appointed to the 56th regiment on the 5th January 1805?

A. I see it is so.

Q. Having stated, in your former evidence, that it was necessary to make inquiries into the services of Lieutenant-Colonel Brooke, on the first of July, when the exchange was proposed; were not inquires made previous to the 5th of January, when he was appointed as effective to the 56th regiment of foot from half-pay?

A. I take for granted that due inquires were made; but I think I have stated in my evidence that particular inquiries were necessary on his exchange to the cavalry.

Q. You mean that enquiries respecting Colonel Brooke were made with respect to his fitness as a field officer of cavalry?

A. I mean exactly that.

Q. You will observe, that the only services of Colonel Brooke as a cavalry officer, are for three months as a cornet in 1793; state what the result of your inquires into the services of Colonel Brooke as a cavalry officer were, in addition to those stated as a cornet for three months in 1793.

A. That very circumstance made the inquiries still more necessary, and the result of them was satisfactory, as I have before stated; and that they were satisfactory, the services of Colonel Brooke have since very fully proved.

Q. State what other services Col. Brooke was engaged in, which could give him a knowledge of cavalry, in addition to the three months during which he was cornet in 1793.

A. I have already stated to the Committee, and it is in evidence before them, that I kept no memorandum in writing of such inquiries, but that the result of such enquiries was satisfactory; the conduct of Colonel Brooke, in the command of his regiment, has proved that they were eminently satisfactory.

[The following entry was read from the London Gazette of the 18th of August, 1804:

"14th regiment of foot, Lieutenant-Colonel Hon. Wm. Bligh, from the half-pay of the 54th foot, to be Lieutenant-Colonel."]

[After this witness had withdrawn Colonel Hamilton was ordered to be next called, but as he did not immediately attend, Sir T. Turton said, he wished to ask Mr. Adam a few questions.]

(MR. ADAM *was accordingly examined as follows:*)

Q. You stated in your first examination, that you considered Mrs. Clarke had prejudiced his Royal Highness's interest and his name with regard to money, and that an investigation took place; in consequence of that investigation, did any proofs appear of his Royal Highness's name having ever been used by her to procure money?

A. It is impossible for me to state the particular facts that appeared, but I remember perfectly well it was certainly established that there had been transactions with regard to goods and likewise with regard to bills, which satisfied me that that representation was correct; I made no memorandum at the time.

Q. Then you cannot state any particular transactions, or any particular sum for which the name of the Duke of York was made use of to raise money for Mrs. Clarke?

A. Certainly not.

Q. Can you state the sources from whence you derived the information of its being so raised?

A. I believe I have already stated in that part of my evidence, that, in order to obtain the information that was necessary to enable his Royal Highness to judge what course he should take with respect to Mrs. Clarke, I communicated with Mr. Lowten, and he employed Mr. Wilkinson; Mr. Wilkinson made an inves-

investigation, and reported the circumstances to me.

Q. It appears in your evidence, that the facts of the raising of money, or the prejudicing the interests of the Duke of York, by making use of his name, were communicated, after the investigation, to his Royal Highness; were they communicated to his Royal Highness by yourself, or by Mr. Lowten, or by Mr. Wilkinson.

A. The result of the investigation was drawn up by Mr. Wilkinson or Mr. Lowten, I do not know which, and that was conveyed to his Royal Highness, not by my hand, but transmitted to his Royal Highness when he was at Oatlands, I believe, upon the 7th or 9th of May, 1806.

Q. I understood by your evidence, that his Royal Highness the Duke of York was very unwilling to believe the facts that were charged against Mrs. Clarke; is the Committee to understand, that, after the investigation was made, and the facts were communicated to his Royal Highness, he was then satisfied that she had made use of his name, and prejudiced his interest by so doing?

A. I can only answer that by stating what his Royal Highness's conduct was: his Royal Highness, in consequence of being possessed of the information which I have stated to have been conveyed to him, immediately or very soon after came to a resolution to take the step of separating from Mrs. Clarke.

Q. Then I understand you to say, that the consequence of laying these facts before his Royal Highness the Duke of York, was his separation from Mrs. Clarke?

A. I can draw no other conclusion than that; for, as I have already stated in my evidence, before that time, there was no reason to suppose that his Royal Highness intended to separate from Mrs. Clarke; and, after that time, he did take that determination.

Q Did you read, at any time, the statement that was drawn up by Mr. Lowten or Mr. Wilkinson, and submitted to his Royal Highness the Duke of York?

A. I certainly did.

Q. Does your recollection furnish you with any specific sum that was raised by Mrs. Clarke in the Duke of York's name, without his authority?

A. No, it does not.

Q. Probably you know whether the paper which was delivered to his Royal Highness the Duke of York, is in the possession of his Royal Highness at present?

A. I never have seen that paper since.

(*By* Lord Folkstone.)

Q. When did you first hear of the note in the possession of Captain Sandon?

A. On Saturday morning, the 4th of this month, between ten and eleven o'clock.

Q. From whom did you hear of it?

A. I heard of it from Colonel Hamilton; Colonel Hamilton came to my house on Saturday morning, between ten and eleven o'clock, before I was out of my bed.

Q. State to the Committee what passed upon that occasion.

A. Colonel Hamilton came to my house between ten and eleven o'clock on Saturday morning, and was shown up to me. He immediately mentioned to me that he had seen Captain Sandon at Portsmouth; that Captain Sandon had communicated with him upon the subject of this inquiry; he said, that Captain Sandon had asked him how he should conduct himself; that he had told Captain Sandon that there could be no rule for his conduct, but one, which was to adhere strictly to truth, to tell every thing he knew, that it would not at all avail him to do otherwise, even if he should have an inclination, because he would be examined, I think he said, by the united ability of the country. He then told me, that Captain Sandon told him that he had some letters upon the subject of

of his transactions with Mrs. Clarke, and that he had a note, which is the note in question, which he believed to be in the Duke of York's hand-writing; that that note he had shewn to Captain Tonyn before he was made Major Tonyn, in order to induce him either to keep the deposit which he had made, or to replace the deposit which he had made, I cannot exactly recollect which; that deposit he had threatened to withdraw in consequence of the delay between the first interview he, Captain Sandon, had with Captain Tonyn, on the subject of his promotion, which he represented, I think, as being nearly two months; that there was likewise another note, which note had been delivered, as he stated, to Major Tonyn, which was a note saying he was to be gazetted to-night, or in words to that effect. Colonel Hamilton told me he had given strict injunctions to Captain Sandon to preserve the note which he represented as in the Duke of York's hand-writing, and which I understand now to be the note about which there has been so much inquiry here, the original of which has been produced, and every paper. I said to Colonel Hamilton, that nothing could be more correct than his instruction; that it still remained to be seen what the terms of the note were, and to be judged of whether it was the Duke of York's hand-writing; I desired Colonel Hamilton, therefore, to go to Captain Sandon, and to desire to look at the note, and to take a copy of it, and to repeat his injunctions in the strongest manner, to preserve all the papers, and among the rest the note. Colonel Hamilton returned to my house, I think it must have been considerably before one o'clock; it was after twelve or about twelve; he told me, that he had repeated those instructions, that he had taken a copy of the note, which he brought to me, which I perused, and found to be in the very terms of the note which has been since produced; and he added that according to his opinion and belief, it was the Duke of York's hand writing. I then told him that such circumstances must be immediately communicated, and I wished him, therefore, to go to Mr. Perceval, with a note which I wrote, and that I would follow as soon as I could. Colonel Hamilton went to Mr. Perceval, which I know, because I found him there, and had told Mr. Perceval the story before I had arrived. Mr. Perceval and myself deliberated on the course to be taken, and having understood from Colonel Hamilton's representations (for I believe neither of us ever saw Captain Sandon till he came to the bar of this house) that Captain Sandon had been applied to by Mrs. Clarke, and I think he said Mr. Wardle, but I will not be sure, and Mr. Lowten, to go to them, it was Mr. Perceval's suggestions, and my own, I believe mutually almost, that the most adviseable course for us to direct Colonel Hamilton to take, was to instruct Captain Sandon to hold no further communication with any person whatever, till he appeared at the Bar of this House, and likewise to instruct him, to preserve the note and all the papers he had spoken of. Colonel Hamilton received those instructions at Mr. Perceval's house, and went, as I presumed, to make the communication immediately to Captain Sandon, which was to be done before two o'clock, because Sandon had promised, as we understood from Colonel Hamilton, to give his answers, to the persons who had desired to see him, at that hour. After having given these directions to Colonel Hamilton, it was agreed by Mr. Perceval and myself, that this matter ought to be communicated to the Duke of York, and it was further agreed by us, that the matter should be brought before the House of Commons by us, in case it did not make its appearance in the evidence of Captain Sandon. I went in search of his Royal Highness the Duke of York, but it was the evening before I saw him; I communicated the matter to him, he expressed his surprise and astonishment, and declared the impossibility of his ever having made any such communication,

ation, and wished immediately
o Mr. Perceval; we went to Mr.
al's together, where he made a
asseveration, and again at Co-
Gordon's. I did not see his
Highness again till between
nd four o'clock on Sunday the
d I did not see Colonel Hamil-
til Sunday at one o'clock, when
him for the purpose of learning
er he had executed the deliver-
instructions to Captain Sandon
manner that Mr. Perceval and
had required; Colonel Hamil-
ld me that he had delivered
n the very terms; that Captain
had said, that he, Colonel
ton, might depend upon his,
n Sandon's, obeying his instruc-
but that he would be extremely
with him, or extremely enraged
im, I am not sure which was
pression, for he had already
yed one of his instructions, he
stroyed the note; upon which,
ing to Colonel Hamilton's repre-
on, he said, Good God, have
stroyed the note? Of course I
sed myself to a similar effect to
l Hamilton when he made the
nication to me respecting the
tion of the note. I went to Mr.
al, according to appointment
the day before, and communi-
to him this fact, as stated by
l Hamilton; this became again
ject of our deliberations, and
in determined that it was our
as Members of Parliament, to
he matter forward, leaving it
elves to judge in some measure,
gard to the time of bringing it
d; and in order that there might
a possibility of supposing that
ught it forward or kept it back
ing to circumstances, it was de-
ed to make the communication
tain Members of this House.
lingly the facts, as I have now
them, were communicated to
Castlereagh, to Mr. Canning,
Attorney and Solicitor General,
d Henry Petty, to Mr. Whit-
and to General Fitzpatrick.
This brings the fact down to the transaction in this House.

Q. Mr. Lowten is employed as an agent of the Duke of York?

A. He is.

Q. Has Mr. Lowten been in the practice of examining the witnesses that were produced in support of the charges against the Duke of York?

A. I really do not know whether he has or not.

Q. When you stated the circumstance of this note to the Duke of York, did the Duke of York state that he never had written such a note with a view of influencing Captain Tonyn, as it has been represented by Captain Sandon, or that he had never written such a note at all to Mrs. Clarke?

A. The Duke of York stated, that he was perfectly sure that he had never written such a note; that he had not a recollection of it at all.

Q. Did he state to you, that he had never written to Mrs. Clarke upon the subject of military affairs?

A. He always stated to me, that to the best of his recollection, he had never written to Mrs. Clarke on the subject of military affairs, and that, if he had done it, it must have been very rarely.

Q. Have you any objection to state what were the grounds of your withholding this communication from the House till the period it was brought forward?

A. The ground that influenced my mind was, that I thought if the communication had been brought forward at an earlier period, it might have embarrassed the course of proceedings in the inquiry, at the instance of the gentleman who set it on foot, and that, in considering the whole circumstances of the case, justice would be better obtained, whatever the effect of that note might be, by keeping it back till the period when it was allowed to transpire. I can only say now what were my motives and reasons for that conduct; that was what influenced me in the opinion I gave in consultation with Mr. Perceval upon that subject.

I mentioned that I did not see the Duke of York again till three or four o'clock on Sunday; at one o'clock on Sunday I was informed, by Colonel Hamilton, of Sandon's having declared the note to be destroyed. Between three and four o'clock on Sunday I informed the Duke of York of that fact. I think it right to state that as a material fact in the case.

Q. You have stated, that one motive which you had for keeping back the mention of this note to so late a period, was, lest you should embarrass the gentleman who brought forward this inquiry, by the premature disclosure of the note; explain to the Committee how that disclosure would have embarrassed him more than the cross-examinations which took place, when the witnesses appeared at the bar?

A. I considered this note, and the transaction respecting it, the disclosure respecting its destruction, to form one of the most extraordinary features that I had ever known of in any case. If I had been in the course of examining witnesses much in this proceeding, I should have avoided cross-examining to that effect, thinking the mode that was adopted a more satisfactory means of bringing it forward; and I believe it will be found, that there was no cross-examination of Sandon to that fact, nor any thing that could lead to it; and therefore, answering to the motive, and not to the fact, I can only say it does not strike me that this stands upon the same footing as the ordinary cross-examination of witnesses, according to my conception.

Q. Why should its being an extraordinary feature, prevent its being presented at an early period; is it usual for extraordinary features to be kept back in evidence in courts of justice, when they relate to the evidence that witnesses examined in chief, are given to the court?

A. I conceive, that being possessed of a fact of this sort, which I found it my bounden duty, in conjunction with Mr. Perceval, to bring before the public, whatever its consequences might be, and which the Royal Duke, I believe, had expressed a desire to Mr. Perceval, should be brought before the public, that I had a right to exercise my discretion, in conjunction with Mr. Perceval, to bring it before the public at the time that, according to that discretion, we should think the best, meaning honestly and distinctly at all times to bring it before the House.

Q. You have stated, that you thought that the purposes of justice would be best answered by not bringing this fact before the House sooner than it was brought; will you explain how the purposes of justice were likely to be best answered by the delay in bringing forward the circumstances respecting this note?

A. I can only state how I think the purposes of justice would be best answered; I cannot be so presumptuous as to say that the purposes of justice were best answered, but in my opinion they were, because it brought this particular feature of the case distinctly, clearly, and unembarrassed, before the House; that if it had been mixed up in cross-examination, or brought forward in that shape, it neither would have appeared so distinct, nor have appeared so clearly the determination of the persons bringing it forward.

(*The Right Honourable* SPENCER PERCEVAL, *attending in his place, was examined by the Committee, as follows:*)

Q. Have you heard the statement of the honourable gentleman lately under examination, and do you wish to add any thing to that statement?

A. I am not quite certain that I heard the whole. If it is wished that I should state the motives that influenced my mind, not in keeping this back, but in not bringing it forward before, I conceived the case that was to be made against the Royal Duke was closed. When the communication was made to me, I thought at the first it was a very extraordinary circumstance; and when I found that

the

was, as the witness represent-
stroyed, coupled with the di-
rtion of the Royal Duke, that
was a forgery, I thought it to
gery, and I determined to act
supposition of its being such,
m that impression, and with a
e better to detect it, if it were
ught it better that all the wit-
hat could in any degree have
ncerned in that transaction,
have told their own tale to the
ttee, before they were in any
informed, by me at least, or
ourse that we took, of our being
ssion of any fact, or inclined to
e of the information we had of
t; it might break in upon their
an of narrating it to the Com-
if it had been a single case, in-
a variety of cases, that were
t before the Committee, I ap-
d that there could be no ques-
hat on the part of the defence
charge, those who interested
lves in the defence could not
d upon to produce any part of
dence which they thought ma-
till they had the whole of the
at was to be brought against
aid before the Court; and con-
g how the whole of these cases
means of the same witnesses,
r less, being brought forward
em all; considering from that
stance how they were all con-
, I conceived it would be better
is information should not be
ill it was closed.

Was the introduction of this evi-
settled, upon the supposition
e note was actually destroyed?
Certainly my impression was,
he note was actually destroyed,
was after that impression was
ed to me, that the note was ac-
destroyed, that I concurred with
nourable and learned friend in
g that it was equally necessary
ct should be brought before the
ittee; and perhaps I might be
ted to add, that, feeling there
considerable degree of awkward-
the appearance of being back-
o bring forward at the earliest
period a fact so important as this fact was, we did think that our own honour would hardly be safe, unless we made a communication not only of the fact, but of our determination to produce it in the manner in which we did.

(WILLIAM ADAM, ESQ. *in his place, made a statement; as follows.*)

It becomes unnecessary for me to say any thing in confirmation of what has been stated by the Chancellor of the Exchequer, but I think it right to state to the Committee, that the whole course of our conduct rested on a thorough conviction that the note was destroyed.

(MR. BENJAMIN TOWN *was then called in, and examined as follows.*)

Q. State to the Committee your name. A. Benjamin Town.

Q. I presume, then, you are of the Jewish persuasion? A. I am.

Q. You have stated on a former occasion, that in your transactions with Mrs. Clarke, she told you she could *forge* the Duke of York's name; are you aware that that word is applicable only to fraudulent transactions?

A. That I cannot say.

Q. Did you use it in that sense?

A. No, I did not.

Q. Did you then, when you mentioned the word *forge* only mean the word *imitate?*

A. Those were her words, that she could *forge* the Duke's name, and she has done it, and she shewed it me immediately on a piece of paper.

Q. Did you understand that word *forge* to mean *imitate?*

A. Those were the words that she expressed.

Q. Had you, before you gave your evidence here on a former occasion, read in the newspaper that part of Mrs. Clarke's evidence, wherein she spoke of you as a Jew, and said, perhaps you might have stolen a letter or two from her?

A. I never saw the paper, nor never heard of it.

Q. Did you say that Mrs. Clarke had *forged* the Duke's hand-writing?

A. She

A. She said she could, and she has done it; that she has forged the Duke's name, and she shewed it me on a piece of paper.

Q. What is your name?

A. Benjamin Town.

Q. How long have you had that name?

A. My father's name is Town.

Q. Does your father go by the name of Town? A. Yes.

Q. How long has he gone by the name of Town?

A. That I do not know.

Q. Have you never known him by any other?

A. (*After some hesitation.*) No.

Q. Recollect yourself.

A. No, I have not.

Q. What is your father?

A. He is a Jew.

Q. What is his trade?

A. He is an artist, he teaches velvet-painting.

Q. How long has he taught velvet-painting?

A. Many years.

Q. Do you remember your father carrying on any other trade but that of velvet-painting?

A. (*After considerable hesitation.*) That I do not know, he might; ladies have now and then, I suppose, asked him to recommend some jewellery to them, and I think he has sent different jewelleries to the ladies.

Q. Did you ever know him go by the name of Lyons?

A. No, never.

(*By* SIR T. TURTON.)

Q. I understood you to say, that Mrs. Clarke told you she could forge the Duke of York's hand, and that she actually forged his hand in your presence?

A. She said that she could, and she has done it, and she shewed it to me on a piece of paper, and I could not tell the difference between the two.

Q. How could you tell it was the Duke of York's hand-writing?

A. I did not know, only as she told me.

Q. What do you mean by *forging*?

A. I do not know; those were her words; I only tell you what she told me.

(*By* MR. WARDLE.)

Q. Did you appear as a witness at the sessions at Clerkenwell?

A. Yes, I did; it is a considerable time back.

Q. Do you know Mr. Alley, a barrister, and recollect any such barrister at those sessions?

A. Yes; he was, I believe, Mr. Smith's counsel.

Q. State whether any thing particular happened at that sessions with regard to your evidence.

A. I do not recollect.

Q. Endeavour to recollect whether Mr. Alley, in that court, used any strong expressions to you?

A. I do not recollect any; he said that I was a Jew, and that all the Jews ought to be punished, or something of that kind; he made use of some language which I cannot recollect.

Q. Is any indictment now hanging over your head for perjury?

[*The witness was directed to withdraw.*]

(*The witness was again called in, and the question was proposed.*)

A. No.

Q. Do you know of any proceedings?

A. I know there is a proceeding, but I do not know upon what grounds; it is not against me; it is not belonging to me.

Here the witness was directed to withdraw, and the question was objected to. An honourable member said, his evidence appeared so suspicious, that it ought to be strictly inquired into; particularly as he had come forward to impeach the evidence of another. He was then called in again.

Q. Are

you sure that you are in no
ected with that proceed-

not know whether it is my
rother; I cannot tell which.
you sure you are no way
l in, or connected with that
g?
er a long pause) No, I am

at is the proceeding, and
hom?
so long since, I cannot tell;
e been so many, and Mr.
lost them all, that I cannot
hat he is doing, or what he
ing.

ness was directed to with-

ADAM, ESQ. *made the fol-*
statement in his place.)

xamination this evening, I
asked whether his Royal
stated to me, that he had
ponded with Mrs. Clarke
ary matters; in answer to
sid, that his Royal High-
not recollect ever having
led with her on military
r, if he had, very rarely.
r part of that answer is er-
nd without that addition,
rarely," the answer is cor-

the Duke of York state to
he did not recollect ever
itten to Mrs. Clarke about
ry business whatever?
Duke of York certainly
se, that he did not recollect
written to Mrs. Clarke upon
ary matters whatever. He
said, that if he had ever
Mrs. Clarke upon any mili-
rs whatever, it must have
ly in answer to some ques-
some letter of her's; and
Highness said expressly,
she once stated something
arly in their acquaintance,
a promotion in the army,
at was business, that he could
not listen to, and he never heard any thing more of it afterwards.

(JOHN MESSENGER *was called in, and examined by* MR. HUSKISSON.)

Q. What is your situation in life?
A. I live with Mr. Parker.
Q. What is he?
A. A goldsmith.
Q. Does he receive goods in pledge?
A. He does.
Q. He is a pawnbroker?
A. He is.
Q. Did Mrs. Clarke ever pledge any goods with Mr. Parker?
A. Yes, she did.
Q. Did Mrs. Clarke ever apply to Mr. Parker to discount any bills?
A. Yes, she did.
Q. Among the bills so discounted, were there any drawn by Mr. Dowler upon Mrs. Farquhar?
A. Yes, there was one.
Q. State the date of that bill, and the amount.
A. The bill was dated on the 11th of June, 1805, at two months after date.
Q. What did the bill purport to be?
A. For 363*l.* drawn by Dowler and accepted by Farquhar.
Q. What is the Christian name of Dowler? A. I do not know.
Q. What is the Christian name of Farquhar?
A. I do not know; Mrs. Clarke has credit by bill of Dowler on Farquhar.
Q. Did Mr. Parker discount that bill? A. He did.
Q. Was it paid when it became due? A. No, it was not.
Q. Did Mr. Dowler draw any other bills?
A. No, I believe not, not to my knowledge; I do not perceive any other bill drawn by Dowler.
Q. Is there no other bill drawn in the name of Farquhar?
A. None drawn by Farquhar; there are others drawn by Mrs. Clarke and accepted by Mrs. Farquhar.
Q. Were those bills paid?
A. No, not the day they were due; there was one for 100*l.* which we discounted for her on the 13th July, 1805.
Q. That

Q. That was not paid when due?

A. No; another on the 19th of September, drawn by Clarke on Farquhar at two months.

Q. Was that paid when due?

A. No; on the 27th of September we discounted another, drawn by Clarke on Farquhar the 27th of September, at two months, for 100*l.*

Q. Was that paid when due?

A. No, I believe it was not; that is the whole that we discounted.

Q. How were those bills taken up?

A. We received on the 19th September a draft of the Duke of York's, dated on the 18th of January, 1806, for 400*l.* dated forwards three months; it was due on the 18th February.

Q. How were the others taken up?

A. On the 4th December, we have credited her with a bill of Bell on Pritchard, for 100*l.*; another drawn by Bell on Millard, for 100*l.*

Q. Were any others taken up by any draft or check of the Duke of York's?

A. We received on the 10th of February, 1806, a promissory note, drawn by the Duke of York, payable to Parker, dated on the 8th of February, at four months, for 230*l.*

Q. Had Mr. Parker jewels or other property of Mrs. Clarke's, in his possession, as a security for those advances? A. Yes.

Q. Were there any bills in 1805?

A. The one for 400*l.* was taken in 1805.

Q. Does your book state what pledge was redeemed by that bill in September, 1805?

A. It was discounted; no pledge was redeemed in September.

Q. Did Mrs. Clarke deposit any goods in pledge, in the year 1805?

A. That I do not recollect.

Q. Does not your book state that?

A. No.

[*The witness was directed to withdraw.*]

[The following entry was read from the Gazette of September 4, 1804.]

"48th regiment of foot, Lieut. William Fry French to be Captain, without purchase, vice Colquhoun, promoted in the 14th battalion of Reserve."

[The following entry was read from the Gazette of the 6th of October, 1804.]

"25th regiment of foot, Ensign Henry Crotty, from the 48th foot, to be Lieutenant, without purchase."

Sir T. Turton desired Mary Ann Taylor to be called in, when the Serjeant reported that she had left the House.

Mr. Perceval then said, that as Mrs. Clarke could not attend to-morrow, according to the report of her physician, he should require the attendance of another witness or two on Wednesday, until which day he moved, "That the Committee should at its rising adjourn.

The Chairman reported progress, and the Committee obtained leave to sit again on Wednesday.

Captain Sandon was ordered to be remanded to Newgate.

At four o'clock the House adjourned.

TWELFTH DAY.

WEDNESDAY, FEBRUARY 22, 1809.

ON the motion of GENERAL LOFTUS, Frederick Smith was ordered to attend the Committee of the whole House, upon the conduct of his Royal Highness the Duke of York. Mr. Jacob was also ordered to attend the said Committee.

MR. WARDLE having moved the order of the day for the House to resolve itself into a Committee of the whole House, to take into farther consideration the conduct of his Royal Highness the Duke of York:

(COLONEL DIGBY HAMILTON *was then called in, and examined by* LORD MILTON.)

Q. When did you first know Capt. Sandon was in possession of that note, which is now in the possession of the House?

A. He informed me so at Portsmouth, the day that he arrived.

Q. Was that before or after the commencement of the inquiry in this House?

A. It was after the inquiry commenced.

Q. When did you first communicate this intelligence, and to whom did you communicate it?

A. The communication was made to me on Wednesday, and on the Saturday following I communicated it to Mr. Adam.

Q. Did Captain Sandon tell you, that he considered this note of great importance to the present inquiry?

A. I do not recollect that he did.

Q. Did Captain Sandon tell you, that he believed this note was forged?

A. Certainly not; no conversation of the sort took place between Captain Sandon and myself.

Q. When you first saw the note, did you believe that it was forged or genuine?

A. In my opinion, I thought it to be the hand-writing of the Duke of York, and therefore I did not conceive it to be forged.

Q. Are you acquainted with the hand-writing of the Duke of York?

A. I have never seen his Royal Highness write; I have had occasion to see letters, which I was led to believe were his Royal Highness's writing; and I have also seen his signature to public documents

Q. Did you desire Captain Sandon not to destroy this note?

A. Repeatedly, and laid the strongest injunctions upon him to that effect.

Q. When you communicated this intelligence to Mr. Adam, you believed that the note was in existence?

A. Judging from what Captain Sandon had promised me, when I saw him at Portsmouth, I took for granted that he had not destroyed the note; I had no communication with him after I saw him on the business till I met him on the morning of my seeing Mr. Adam, which was subsequent to my mentioning the occurrence to Mr. Adam.

Q. Did Captain Sandon tell you, that he thought it would be best to destroy the note?

A. No.

(*By* Mr. Wilson.)

Q. Did Captain Sandon communicate to you any thing of his motives for wishing to destroy the note?

A. I had no intimation whatever from Captain Sandon of such an intention; I only knew, or believed, the note to be destroyed, upon his informing me that he had done so.

Q. Was the occasion of Captain Sandon's stating to you that he had destroyed the note, on your returning from Mr. Adam and myself (the Chancellor of the Exchequer) with a direction to him not to destroy it?

A. It perhaps would be more satisfactory to the House, if I were to state the reasons which led to Captain Sandon's making that declaration to me. After I had seen Mr. Adam, I made an appointment with Captain Sandon to meet me at the British Coffee-house at two o'clock on the same day; previous to going to the British Coffee-house, I had the honour of an interview with the Chancellor of the Exchequer; I was desired to repeat what I had previously stated to Captain Sandon; the necessity of his preserving all the papers, and that he should confine himself strictly to the truth in his examination before this honourable House. When I went to the British Coffee-house, there were several persons in the room, and I did not conceive that a proper place to talk upon such a subject; I begged him to accompany me, as I was going towards the city: In going towards Temple-bar, he said, Colonel, I am sorry that I have not complied with the whole of your injunctions, for I have destroyed the note. I told him that he had done extremely wrong; that it would be of serious consequence, and that it must be his own affair. I had no intercourse whatever with Captain Sandon from that period till the day of his commitment by this hon. House; he came to call upon me on the morning of that day; I met him after I left my lodging in Oxford Street; he mentioned, that he came to explain to me that he had not destroyed the note, but that he did not mean to produce it. I told him he would do extremely wrong, and that I could only repeat the injunctions I had formerly given him, and that I did not mean to discuss the subject further. After some conversation as to regimental business, we parted. Captain Sandon stated, that the papers were his own, and that he thought he had a right to do whatever he thought proper with them.

(*By* Lord Milton.)

Q. Did Captain Sandon tell you why he did not mean to produce the papers?

A. No, he did not assign any reason whatever.

(*By* Alderman Combe.)

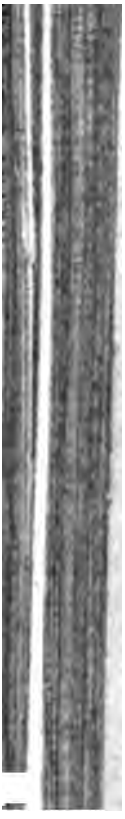
Q. In the first conversation you had with Captain Sandon, or at a future conversation when he produced the note, did he say they had forgotten this?

A. It is impossible for me to recollect at what period he mentioned to me that he did not confine his observations to the note, but he said, he believed the party who brought forward the inquiry were not aware that such papers were in his possession.

(*By* Mr. Thompson.)

Q. In your first conversation with Captain Sandon upon this subject, did Captain Sandon promise that he would preserve the note; upon the second interview, did he not tell you that he had destroyed the note; and upon a subsequent interview, did he not tell you that it was not destroyed?

A. No, that is not the order of things. Captain Sandon promised me that he would follow the whole of my injunctions; I did not lay any particular stress upon that note, or any note, but told him to preserve all the papers, to speak the truth, and not to prevaricate; it was a general injunction, but nothing specific. With respect to the note, that was the first conversation; the second conversation was of the same tendency; it was at the third interview, after we left the British



h Coffee-house, he informed me
ıe had destroyed the note.
And upon the fourth, he in-
d you it was still in his posses-

More than a week, probably a
ght, had elapsed before he told
he note was in his possession,
se it was on the Saturday after
terview with Mr. Adam, that I
d he had destroyed the note, and
ressed surprise that he had done
I did not see Captain Sandon,
t getting out of a gentleman's
ge, the day of his examination,
I had not further conversation
my expressing that I hoped he
ıot had any intercourse either
Mr. Lowten or the other party;
othing passed further on the sub-
of the papers till the morning of
ay that he was committed.
A fortnight after Captain San-
ıad said that he had destroyed
ıote, he informed you that he
ıot destroyed the note, which
ın the day of his examination

Exactly so.
When you copied the note, was
ıote in an envelope; was there
:over upon the note, and if so,
ou observe the hand-writing of
irection upon that cover?
If my recollection is correct, I
/e that it was not inclosed in a
; the direction was something
ıhar, Esq. I believe George Far-
, Esq. and the hand-writing ap-
d to me not to be the same with
ontents of the note; it was not
en with that freedom and ease
h the contents of the note were.
What induced you to copy that
particularly?
I was desired by Mr. Adam to

(*By* Mr. C. W. Wynne.)
You have mentioned the very
r advice which you gave Captain
on, to preserve carefully every
; and not to prevaricate before
House, but to speak nothing but
ruth; were you induced to give that advice simply by a consideration of its general propriety, or in consequence of any thing that had passed with Captain Sandon, which made you think that advice particularly necessary?

A. I should state to the House, that I did not consider the advice that I gave to Captain Sandon merely as the advice from one individual to another; I considered that Captain Sandon came to consult me as his Colonel, officially, on the line of conduct he should pursue; I was not influenced by any other considerations but those of duty, but I gave him that advice which I thought every man of honour, and every officer, ought to follow.

Q. Then the Committee is to understand, that nothing had been said by Captain Sandon which raised in your mind a doubt whether Captain Sandon might not prevaricate and keep back certain papers?

A. No, not even an insinuation on his part.

Q. Upon what day was it that Captain Sandon informed you that he had not destroyed the paper, but had kept it back from this House?

A. The day of his commitment.

Q. What steps did you take in consequence of that communication?

A. I thought it my duty to inform Mr. Adam and Mr. Lowten of the circumstance, and Mr. Harrison.

Q. Did you inform those gentlemen of the circumstance?

A. I did.

Q. At what time on that day did you inform those gentlemen of it, and in what manner?

A. It was probably about five o'clock, it was when Mr. Adam came to the House; I met Mr. Harrison coming to the House, and I went up stairs to Mr. Lowten; the communication was made in the course of half an hour to those gentlemen, and probably about five o'clock.

(*By* Mr. Adam.)

Q. Are you quite certain that I was present at the time you made that

communication unto the other two gentlemen?

A. No, I spoke to the three gentlemen separately.

Q. Are you quite certain you made that communication to me?

A. Upon my honour I cannot speak decidedly; I either did, or thought I did, or desired Mr. Harrison to mention it to Mr. Adam; I did not attach any importance to the circumstance at the moment, and it has not attached itself so to my mind as to state it precisely, but if not, I certainly desired Mr. Harrison to mention it to you.

Q. From the time that I conversed with you at the Horse Guards on Monday the 5th of February, have I not avoided all intercourse or communication with you upon the subject of the proceedings on this inquiry?

A. So much so, that Mr. Adam has avoided speaking to me upon matters that did not relate to it.

Q. Did you desire Mr. Harrison to communicate this intelligence to any person?

A. I have already stated that I desired him to mention it to Mr. Adam.

[*The witness was directed to withdraw.*]

(*The witness was again called in.*)

Q. You did not communicate what you knew concerning this note to Mr. Wardle?

A. I have not had any intercourse, nor have I any knowledge whatever of Mr. Wardle.

Q. Why should you communicate it to one side and not to the other?

A. I have had the honour of knowing Mr. Adam some years, and I conceived I could not go to a more honourable man, nor to a man on whose judgment I had a greater reliance than on Mr. Adam's.

(*By* Mr. H. Martin.)

Q. You have stated, that you were induced to take a copy of the note in question by the advice which had been given to you by Mr. Adam; what induced you to make an application to Mr. Adam upon that subject?

A. I do not recollect making any particular application as to the note; I stated the affair generally to Mr. Adam, without dwelling more upon the note than any other part of the transaction.

Q. Why was there floating in your mind any idea of the necessity of copying this note?

A. It is not a very easy matter at an interval of three weeks to state the ideas that might have occurred to my mind at that moment; perhaps I attached more importance to that paper, because it was the only paper that was said to be the hand-writing of the Duke of York.

Q. You must have had some reasons for consulting with Mr. Adam respecting this paper; state what they were?

A. I can offer no particular reasons; I can assign no other reasons than those I have had the honour already to offer to the House: my opinion of his honour, his integrity, and his public character were such, that I thought I could not do a more proper act than to lay the matter before him.

Q. You have stated, that previous to going to the British Coffee-house, you had an interview with the Chancellor of the Exchequer, at what period was that?

A. After I returned to Mr. Adam, and communicated to him that I had seen the note, and read a copy of the note, he said, that the most advisable measure was, for Mr. Perceval to be informed of the whole circumstance; that he would give me a letter, and desired that I would immediately go to Downing Street, and communicate the whole to Mr. Perceval; which I did immediately, the Saturday morning, the first morning I was in town.

Q. This was previous to your going the first time to the British Coffee-house?

A. Previous.

Q. Did you at any time tell Mr. Adam, or the Chancellor of the Exchequer, that the note was destroyed; and if so, when?

A. I

A. I never had the honour of having any communication, either personally or in writing, with the Chancellor of the Exchequer after the morning alluded to. With respect to Mr. Adam, I really cannot bring the thing home to my recollection, whether I spoke to him personally upon the subject, but I certainly took measures that he might be informed of it, by acquainting Mr. Lowten, or Mr. Harrison; it is impossible for me to say precisely how I made the communication; it might have been personally.

Q. Then you never saw the Chancellor of the Exchequer, except prior to your going the first time to the British Coffee-house?

A. I have seen him accidentally, but had no kind of communication with him whatever; I have not had any sort or kind of communication with the Chancellor of the Exchequer since the Saturday morning alluded to.

Q. What induced you to seek a communication with the Chancellor of the Exchequer on that occasion?

A. I conveyed Mr. Adam's letter to him, as I have previously stated; I was desired by Mr. Adam to communicate to the Chancellor of the Exchequer all that I knew.

(*By* Mr. Adam.)

Q. Do you recollect having come from Croydon to the Horse-Guards on Sunday noon, the 5th of February?

A. I remained in town on the Saturday, and therefore I did not come from Croydon on the Sunday, but I was at the Horse-Guards on Sunday the 5th of February at one o'clock.

Q. Do you recollect having a very short conversation with me at the Horse-Guards?

A. I do remember a few words passed only.

Q. Do you remember on that occasion, stating to me, that Captain Sandon had informed you, the day before, that he had destroyed the note? A. I do.

(*By* Mr. Wardle.)

Q. When did you first hear of the note in question?

A. The note was stated to me by Captain Sandon to be in his possession, together with other papers, in our first conversation at Portsmouth.

Q. State the whole of what passed between Captain Sandon and you upon that occasion?

A. I will not undertake to state accurately or verbatim what passed; I will give the purport of the conversation to the House, to the best of my recollection. Captain Sandon, after reporting his arrival from Plymouth, where he had landed with his troop, said, Undoubtedly I had read the newspapers, and had seen his name mentioned as having had something to do with these transactions; that he wished to consult me as his Colonel, what was the line of conduct he should pursue, and that to enable me to judge of the matter, he would give me all the information he possessed; and that when he came to town he would allow me to look at all the papers that were in his custody. He began by stating, that he met with a gentleman (he did not name him, nor had I any curiosity to know who he might be) who talked to him on military matters, and who asked him whether he knew officers who might have money, but who were without interest to get promotion; he said undoubtedly there might be such persons in the army, but at that moment he could not give any names, but that he would make inquiry; that he afterwards met with Mr. Donovan, who had served in General Tarleton's legion in the American war, and had been wounded there. Mr. Donovan had been Surgeon to the Supplementary Militia, of which regiment he had been Lieutenant Colonel; that he understood Mr. Donovan was endeavouring to negociate the sale of commissions, and was, in short, what is calle

called an Army Broker, and that he considered him a very likely person to be able to point out the description of persons I have before stated. That subsequently to that he met with Colonel French at the house of Major Poole, who is since dead, and who lived in Sloane-street; that upon asking Colonel French his motives for coming to town, having come from the country, he said, that he had come up to endeavour to do himself service in the way of recruiting the army. Captain Sandon then related to him what I have previously stated, that a gentleman had promised him very powerful support, and that they had concerted the measure of raising a levy; that he saw a gentleman, and the terms were agreed upon. I do not recollect the specific sums, but I think 500*l.* was to be paid upon the measure being acceded to on the part of his Royal Highness the Commander in Chief, that this matter went on for some time, and that he had not the remotest idea through what channel the acquiescence to the request had been granted; that the application had been regular and official, and the answers were official. Sometime after this he had an application made to him respecting the promotion of Captain Tonyn. Captain Tonyn was to lodge, I believe, 500 guineas on being appointed to a Majority. Captain Tonyn had been kept in suspence some time, and was desirous to withdraw his security. I should have previously stated, that he had lodged a security for the payment of that sum; that upon his having made this overture to withdraw this security, Captain Sandon received a note, which is the note in question, to say that the promotion should not go on, That some time after, upon Captain Tonyn finding he was not likely to gain the Majority, he requested that the thing might go on, and that he would consent to the security remaining where it was; that he then received a second note, to say that the promotion would go on, and mentioning the day it would be gazetted, and then he stated to me that both notes were in his possession; but it is necessary I should add, that Captain Sandon fully explained to me at the moment, that the whole party had been deceived; that they had been led to believe that there was a certain influence by which these objects were to be accomplished, which, ultimately, they found did not exist, and that it was not until considerable sums of money had been paid by him through the medium of another person, that he understood that influence was to be procured through the medium of Mrs. Clarke.

[*The witness was directed to withdraw.*]

[Lord Folkstone informed the House that he had just received a note from Mrs. Clarke, stating that though she was much indisposed, she wished to be examined.]

(*Mrs. Clarke was accordingly called in and examined by* Mr. Perceval.)

Q. Have you brought with you the two last notes you received from his Royal Highness?

A. What were mentioned in the summons did not purport to be the last notes. His Royal Highness did not cease corresponding with me after we parted.

Q. The notes, supposed to be the last, were that which first notified to you his Royal Highness's intention of separating from you, and the note he wrote immediately afterwards?

A. Does his Royal Highness state those to be the last notes that he sent to me?

Q. I never heard of any others?

A. I have had many; more than fifty from him since that.

Q. Look at that paper, and state whether you recollect receiving a note to that effect from his Royal Highness

ss *(the copy of a note being*
Mrs. Clarke).
lay I read this?
ertainly.
Mrs. Clarke read the note) I
ecollect any thing about it; it
possible I might have receiv-
a letter, and very possibly
have been looking over all
tters I have for those he sent
that day, and cannot find
I know he wrote one himself,
other Mr. Greenwood wrote
day, but which the Duke
ut, and sent to me.
Was the letter you did receive
Greenwood's hand-writing in
e hand-writing as that?
is so long ago I cannot re-
but it was the longest letter
Greenwood wrote; it was a
te I had in the morning, and
est I received in the even-
was written by Mr. Green-
his Royal Highness copied it,
t it instead of coming to din-
he letter I received was not
Greenwood's hand-writing,
as told Mr. Greenwood wrote
his Royal Highness copied it
t it to me; they were dining
r.
ou were told Mr. Greenwood
?
es.
y whom were you told?
is Royal Highness's servant
o my servants. I waited din-
his Royal Highness after I
n Mr. Adam till ten o'clock,
t down several times to Port-
uare to know whether he din-
me or not; they said, they
he dined with me, as he had
no dinner. Between eight
e o'clock, Mr. Greenwood
is appearance in Portman-
and they sat down to dinner,
er dinner Mr. Greenwood
hat letter, and his Royal
s copied it, as I understood.
nentioned it in several of my
since to his Royal Highness.
I burnt the letter. I saw his Roya
Highness afterwards in his own house
that same night, but he ran away
from me, after Mr. Greenwood had
left him.

Q. How long have you recollect-
ed that you burnt that letter?

A. Not till just now. I have
burnt many of his Royal Highness's
letters, and lost many of his love-
letters; those are the only letters
that remain.

Q. How long do you recollect that
you have burnt that letter?

A. I cannot tell how long. I have
recollected it; I have many of his
love-letters by me; and when Co-
lonel M'Mahon mentions that I had
many letters in my possession that
would make much mischief between
His Royal Highness the Duke of
York, and the Prince of Wales, I
have none, nor never mentioned
that to him.

Q. How long have you recollected
that you burnt that letter?

A. I cannot tell; I was not cer-
tain that I had burnt it till I had
looked over my papers. I never
kept any thing that was unpleasant.

Q. Did you ever know Mrs. Fa-
very by any other name but that of
Favery?

A. I have learned a deal since
last night.

Q. Were you acquainted with her
when she went under any other
name than that of Favery?

A. No; but I have heard that she
has made use of my name, and more
especially since last night, which has
made me very unhappy indeed, and
I am afraid Mrs. Favery will be found
to have told a great many stories.
I did not know that Mr. Ellis was a
person that she lived with till she
told me after she got home, and I
told her yesterday, it would be bet-
ter to go to Mr. Ellis and tell him
what she had done, and then come
forward to the House, asking his
leave, and undeceive them as to
what she had said. A day or two
after

after she had been examined at the House, she told me he was not a carpenter, but that he was a clergyman, and that she was afraid of bringing forward his name.

Q. It was not the same day?

A. No; I had no opportunity of speaking to her the same day.

Q. How many days after having heard that she had made this misrepresentation of Mr. Ellis, did you desire her to go and inform Mr. Ellis?

A. She did not tell me what he was till yesterday morning; I then told her to get a hackney-coach and go down and ask the gentleman leave to speak the truth, and when she came back last night, she told me she had been married, which I do not believe; I had heard of it before, but did not then believe it, and I parted with her in consequence at Gloucester-place, after telling His Royal Highness of it.

Q. It was not till yesterday she told you that she had misrepresented Mr. Ellis's situation in life?

A. No, it was not.

Q. What did she tell you at first, with respect to her evidence?

A. I do not recollect that she told me any thing about it; I spoke to her some time afterwards, and asked her how she could tell stories about my having no company, for I was in the habit of having very large parties every day the Duke dined out; and about having three cooks; I never had three cooks, as I stated before, I only had a cook and his attendant.

Q. When did Mrs. Favery first live with you?

A. Soon after I was married, but she has been in twenty places since.

Q. Did you give Mrs. Favery a character to Mr. Ellis?

A. Either me or my sister did; or some one in the house, I do not recollect which; we came to town for the purpose, some one did.

Q. Were you in the habit of intimacy with Mrs. Favery at the time she lived with Mr. Ellis?

A. No.

Q. Did you ever call upon her at Mr. Ellis's?

A. I do not recollect that I ever did; I called to fetch her away once when I wanted her, I believe a hackney-coachman fetched her and a young lady.

Q. Did you turn her away in Gloucester-place on account of her having been married?

A. Yes, I did.

Q. How came you to turn her away in consequence of having heard that she had been married?

A. Because I heard the man was a thief, and I had lost some soup plates, and they thought that he had stolen them; he was a man of very bad character, and I heard there were a great many stories; and the Duke said it was better that he should go, and proper.

Q. How long was it after you turned her away that you took her into your service again?

A. A year and a half full, I did not take her again till I wanted her very much.

Q. Has she only lived with you once since?

A. No only once since this time.

Q. How long has she lived with you now?

A. Yes, I believe that Mrs. Nicholls and she had a fight at Hampstead, and I parted with her then, I did not recollect that; and I found Mrs. Nicholls was just as bad as Mrs. Favery, and I took her afterwards; I found that there was no difference between the two, and Mrs. Favery is necessary to me; she knows all my affairs, and I believe she keeps my secrets; I have believed so till now, but now I am afraid not.

Q. How often, in the whole, has Mrs. Favery been in your service?

A. Indeed I cannot tell, a great many

many times backwards and forwards, because I had given her several characters; I never found her dishonest, and I have always given her a character to that effect: she lived eight or nine months in a family where she cooked for sixteen or seventeen, and they gave her a very good character back into another family.

Q. Did Mrs. Favery tell you the name of her husband?

A. O yes, I have heard of the man a hundred times; and have seen his wife, he is a married man. I saw his wife once when His Royal Highness was there; a very vulgar woman came one day when I was at dinner, and said that I encouraged my maid servant in seducing a married man, and that she was his real wife; I told her the woman was not in the house, that she had been discharged, which was the truth; and His Royal Highness ordered the servants to take her to some prison, which they did, and she was there two or three days for her bad behaviour.

Q. You are sure you only went to Mrs. Favery once when she lived with Mr. Ellis? A. Yes.

Q. And that was in a hackney-coach you are sure?

A. Yes, I am.

[At the desire of Sir C. Ashton the following Question and Answer, on a former examination were read to the witness:]

"Q. Did you ever receive a list of names for promotion from any other person than Captain Huxley Sandon and Mr. Donovan?—A. I never received such a long list from any one, nor such a list; I never received more than two or three names; this I had for two or three days; it was pinned up at the head of my bed, and His Royal Highness took it down."

Q. Do you abide by that account?

A. Yes, I do; I never attended to any other; I do not know what others may have been given me.

Q. How long was that list so pinned up?

A. The second morning His Royal Highness took it down, drew up the curtain and read it; and afterwards I saw it when he was pulling out his pocket-book some time afterwards, when one or two promotions had taken place, with his pen scratched through those names when he took out his pocket-book to look at some other papers. I only make this remark, as I have heard a gentleman on my right hand say that I had picked his pocket.

Q. Did this list remain up one whole day, or was it taken down the next morning?

A. No, it remained there, I believe.

Q. Was this list seen by any other person besides yourself and His Royal Highness?

A. I suppose the maids that made the bed; but perhaps they could not read, or did not understand it; I do not know.

Q. You are quite sure His Royal Highness read it?

A. I am quite sure, he read it in my presence, drew up the curtain, and afterwards came to me and made the remark, that he would do every one by degrees, or make them, or to that effect.

Q. Do you know that Mrs. Favery ever saw this paper?

A. I am sure I do not know; if she did, she knew nothing about it.

(By the ATTORNEY GENERAL.)

Q. Did you ever live with Mr. Ogilvy?

A. No; I never lived with any man but the Duke of York.

Q. Did Mr. Ogilvy ever live with you?

A. No, never; General Clavering called

called on Mr. William Ogilvy a few days ago, and asked him whether he would come down here and speak against my character; that he was instigated to ask him by Mr. Lowten.

Q. Are you acquainted with Mr. Ogilvy?

A. Very well, both of them.

Q. How long ago have you been acquainted with Mr. Ogilvy?

A. I cannot recollect.

Q. About how many years?

A. I cannot recollect at all.

Q. Two years?

A. Yes, certainly two years.

Q. Four years?

A. I do not know; yes, four years.

Q. Six years? A. No.

Q. Have you not known Mr. Ogilvy six years?

A. No.

Q. You did not know him six years ago?

A. I do not think I did.

Q. How long did you know Mr. Ogilvy before you lived with the Duke of York?

A. Only a few months.

Q. Did you know Mr. Ogilvy before he was embarrassed in his circumstances?

A. No, I did not.

Q. Before he failed?

A. He was just failing, and his books were made up as I knew him.

Q. Was any thing owing from Mr. Ogilvy to you at the time of his failure?

A. No, nothing at all.

Q. Were you examined as a witness in Mr. Ogilvy's bankruptcy?

A. Yes, I was? but I was living with the Duke of York at the time, though unknown to the world; there is a pamphlet going about now, but it is not true.

(By Mr. Whitbread.)

Q. Since the date of your separation from the Duke of York, have you frequently had letters from his Royal Highness?

A. Yes, I have.

Q. Can you, by any one letter, substantiate that fact?

A. Yes, I can; but they are not civil ones since I left him.

Q. Produce some one letter to substantiate that fact.

A. I believe that I may have a little note or so, for they always consisted of short notes in answer to some request of mine in some letter. I have brought down envelopes, to shew that the note I have seen here is in the same sort of character as the notes I have; here are eight or ten in my hand. I have many notes I could shew since his Royal Highness and I have parted.

Q. Subsequent to the date of the separation?

A. Yes.

Q. Are they dated?

A. I believe some of them are, and perhaps there is one or two among these.

Q. Are either of those notes signed?

A. His Royal Highness never signs any thing unless it is necessary; here is his name to one of the notes; it was merely for his box at the play; they are all his writing; I have taken the insides out.

Q. Is that which is signed, subsequent to the separation?

A. No.

Q. Put in some one or more notes, as you shall think fit to select from those you have, for the purpose of substantiating that fact?

A. Here [*three letters*] are something I have picked out which I thought to be like the hand I saw here the other night; I should wish to deliver them in, because I know they are exactly like what I have seen here.

Q. Are those you have here subsequent to your separation from the Duke of York;

A. No, they are not; unless one of them is.

Q. Put in some one or more notes subsequent to the date of the separation?

A. A gentleman asked me for a seal or two when I was here the other night; I should wish to put them

them in, because the story of a forgery going about is extremely unpleasant.

Q. Are those papers in the hand of the clerk, the only ones you wish to put in?

A. It is not the only one I wish to put in; I have many at home, but the inside of that is what his Royal Highness has written to me since.

Q. Look at the outside and inside for the purpose of saying whether it is his Royal Highness's hand-writing?

A. They both are; I have dates to some at home.

Q. Do you wish to put in any more papers?

A. Yes, I wish to put in all these I have here. Here is another since his Royal Highness parted from me.

Q. Do you mean to assert, that that first note you have sent to the table, was written to you after your separation?

A. Yes, I do not say for the outside, because they are confused; but certainly the inside was, as the language will shew.

Q. Put in such papers as you have now with you, which you are desirous of putting in?

A. I wish to put in all these [*delivering in several letters.*]

Q. Have you sufficiently examined all the papers you have put in, to be able to state that they are all the Duke of York's hand-writing?

A. Yes, I have.

Q. Can you discriminate such as were written before, and such as were written after your separation from the Duke of York?

A. Yes, they are only mere envelopes, to shew the hand-writing as nearly as I could guess, what I saw here the other day; and this is since the separation.

Q. Will you look at that, and say whether it was written before or after the separation?

A. This was written by the Duke of York sometime after, when he sent me the 200*l.* to go out of town after the separation.

Q. Is the note which you have just now put in, and which you have just seen, dated?

A. No, it is not.

Q. Will you produce some of those notes with dates, which you say you have in your possession, which were written subsequent?

A. I will do so.

[Two Notes, directed, "George Farquhar, Esquire," were then read; they were as follow:]

No. 1.

"I do not know what you mean; I have never authorized any body to plague or disturb you, and therefore you may be perfectly at ease on my account."

No. 2.

"Inclosed I send you the Money which you wished to have for your Journey."

[Two other Notes were then read to the following effect.]

"Inclosed, My Darling receives the Note, as well as the Money which she should have had some days ago."

"My Darling shall have the Ticket for the Box the Moment I go home. God bless you."

(*By* MR. THOMPSON.)

Q. Was it customary with the Duke of York to mix, in what you call love letters, any thing relative to military or ecclesiastical promotions?

A. I hardly know how to answer that question.

Q. Have you not stated that you had several letters, which you call love letters, from the Duke of York, in your possession at present?

A. Yes, I have, and some of my friends have.

Q. Is there any thing in any of those letters relative to military or ecclesiastical promotions?

A. No.

Q. Has any person been present when you looked over your papers relative to the subject of this inquiry?

A. No, not over his letters.

Q. Has any person assisted you in looking over any other papers relative to this inquiry?

A. I have never let any one look over any papers.

(*By* MR. HERBERT.)

Q. Did you, when you lived in Gloucester-place, always pay your bills yourself, or did you sometimes pay them through the medium of your housekeeper?

A. Sometimes myself, sometimes my housekeeper; but the common tradesmen, such as butchers and bakers, I never paid myself.

Q. Who was that housekeeper?

A. Mrs. Favery.

Q. Did Mrs. Favery ever represent to you that the creditors were so clamorous that she (Mrs. Favery) was accused of having most likely secreted the money by not paying it?

A. Yes, but then I never minded what she said.

Q. Did Mrs. Favery represent the absolute necessity of the Duke of York's supplying you with money to pacify the creditors?

A. Yes, of course; if she was teazed by people, she teazed me.

Q. Did this often happen?

A. She is the best judge.

Q. Were not the creditors often paid in consequence?

A. Yes, if they were very clamorous.

Q. Were not those sums to a very considerable amount?

A. I do not know what is called considerable.

Q. Were they to the amount of 1,000*l.*?

A. She would speak of different tradesmen teazing for their bills, I do not know to what amount.

Q. Do you not know that bills were often paid, and to a large amount, in consequence of your applications to the Duke of York, upon the representations of Mrs. Favery?

A. No, he never paid a bill for me on its being so represented, and I never had credit with any of his people, nor never got money on his account.

[Several letters were returned to Mrs. Clarke, their insertion on the minutes not being considered material.]

(*By* SIR T. TURTON.)

Q. Do you recollect that, in the presence of Miss Taylor, the Duke of York and yourself ever talked of military promotions?

A. I am sure I cannot say; his Royal Highness did not mind what he said before Miss Taylor; he was very fond of her.

(*By* MR. YORKE.)

Q. The witness has said there were letters of the Duke of York's in the hands of her friends, I desire she will state who they are?

LORD FOLKSTONE conceived he should state particularly who he meant.

MR.

MR. YORKE said it was but right every thing should be brought forward, and nothing kept back.

LORD FOLKSTONE observed the argument went too far, as warranting the production of every thing for the purpose of searching for evidence; but before any should be produced, they were bound to define what it was that was wanted; and therefore he objected to the question?

MR. C. ADAMS wished to know, was she to be allowed to hand over papers, and then refuse to produce them.

MR. PERCEVAL conceived such random examination only tended to delay, by multiplying a useless mass of evidence.

The question was then withdrawn, and Mrs. Clarke was directed to withdraw.

(COLONEL HAMILTON, *was then recalled and examined by* LORD FOLKSTONE.)

Q. Did Captain Sandon state to you, that he had ever received any sum of money from Major Tonyn?

A. No.

Q. Did he state to you from whom he received the note?

A. To the best of my recollection, he stated, that he had received the note from Mrs. Clarke, or that it had been conveyed to him from Mrs. Clarke.

Q. When did you see that note?

A. On the Saturday after I had my first communication with Mr. Adam.

Q. Was that note wrapped up in a piece of paper, or accompanied with a piece of paper with another similar direction upon it?

A. I do not recollect whether it was wrapped up in a piece of paper, but Captain Sandon shewed me part of the cover of a letter which had the Dover post-mark upon it, and requested I would look at the similarity of the address of that letter with the note in question.

Q. When you were informed that this note was not destroyed, are you now certain whether you informed Mr. Adam or not?

A. I can only repeat the reply I made to that question before; my mind was impressed with the idea that I had *informed Mr. Adam*, or taken effectual measures that he should be informed of the circumstance.

Q. Are you certain that you informed Mr. Harrison? A. Yes.

Q. Why did you inform Mr. Harrison?

A. Knowing that Mr. Harrison was employed on the part of His Royal Highness.

Q. How did you know that Mr. Harrison was so employed?

A. From my having been frequently in the room when Mr. Harrison came into it, where Mr. Lowten does his business, in consequence of my being ordered to be in attendance upon the House.

Q. From whom did you learn that Mr. Harrison was employed as the agent of the Duke of York?

A. From no particular person, but it was impossible to be in that room and not to observe that Mr. Harrison was so employed.

Q. Did you understand that Mr. Lowten was the agent of the Duke of York? A. Clearly.

Q. How did you learn that?

A. From observing what passed in the room where Mr. Lowten sat.

Q. Where you referred by any one to Mr. Lowten?

A. I received a note from Lieutenant-Colonel Gordon, desiring my attendance upon this House, and that I was to call upon Mr. Lowten, whom I should find upon making inquiry

inquiry here; I received a note at Croydon Barracks which induced my attendance.

Q. When Captain Sandon shewed you the piece of paper with the Dover post-mark upon it, did he state to you how that piece of paper came into his possession?

A. I do not recollect that he did; it was merely to impress my mind that the letter and the note were directed in the same hand-writing; I do not recollect any other conversation having passed.

Q. How long have you been acquainted with Captain Sandon?

A. I have known Captain Sandon since the year 1794, but Captain Sandon has never been my acquaintance; I have known him in my military situation only; he served on the Continent at the same period I did, but without having any intercourse, merely knowing him as Captain Sandon; we did not serve in the same corps.

Q. Had you much intercourse with him in the years 1804 and 1805?

A. None whatever but what was strictly official.

(By Mr. Shaw Lefevre.)

Q. Did Captain Sandon manifest any reluctance in allowing you to take a copy of the note?

A. None whatever, it was done with his perfect concurrence.

Q. After he had stated to you that he had destroyed the note, did he say any thing to you respecting the copy you had taken?

A. He never alluded to it.

(By Mr. Bathurst.)

Q. Did Captain Sandon shew you the other note to which you have referred?

A. Upon producing the note in question, I brought to his recollection that he said there were two notes in the conversation which took place at Portsmouth: upon which he replied, that he must either have been mistaken, or if there had been a second note, he must have given it to Major Tonyn, to convince him that the promotion was to go on.

Q. Did Captain Sandon explain to you what the contents of that note were, and by whom it appeared to be written?

A. It will appear in the former part of my testimony, that I stated to the House, that the second note was to convince Major Tonyn that the promotion would take place, but he never stated to me that either of the notes were written by the Duke of York, or by whom they were written.

Q. Why then did Captain Sandon compare the first note with the envelope of the letter?

A. I have already stated, that he produced the envelope of the letter to convince me that the hand-writing of the note and the letter were by the same person; he assigned no other reason for producing the part of the envelope; it was not entire; there might be half of it.

Q. For what purpose did you understand he wished to prove the two papers were of the same hand-writing unless he pointed out some person whose hand he pretended it to be?

A. I must state most unequivocally, that Captain Sandon did not point out the hand-writing to be the hand-writing of any particular person; all that he wished to convince me was, that the two papers had been written by the same person, without any comment or observation beyond what I have stated to the House.

Q. Were no comments made upon the post mark from Dover?

A. He merely stated, you will see that has the Dover post-mark upon it.

Q. At what period of your conversation with Captain Sandon was it that you observed to him, if you did, that you thought the note appeared to be written by the Commander in Chief?

I have never stated that I had such a declaration to Captain on, because no such observa- was ever made to me by Cap- iandon.

Did Captain Sandon state whom it was that he received cond note?

I have already stated, to the of my recollection, that he did tate precisely how they came is possession, but I understood ceived them from Mrs. Clarke nally, or through some other s from her; I did not enter hose particulars with him?

Both notes?

Both notes.

Have not you already stated Captain Sandon appeared to the note, of which you took a , was a note of some impor- ?

It is impossible I could have l any thing of the kind, because ve never stated Captain San- opinions upon the subject at

When you communicated to Adam what you knew concern- his note, did you do it with an tion or expectation of its being e known to this House?

I stated the circumstances as ve related them to the House, Ir. Adam, with a view of hav- his opinion, and that his judg- t should be exercised upon the ect rather than my own; I had come to any precise decison in own mind how I was to act, and fore I thought I could not con- myself with greater propriety to consult Mr. Adam what line onduct I should pursue.

(*By* Lord Milton.)

. Am I right in my apprehen- , that you have stated that you idered this note of importance ne inquiry that was going on?

. I have already stated to the se, that when I saw the note I ved it to be, according to the best of my judgment, the hand-writing of the Duke of York, and therefore it was impossible that I should not attach very great importance to the note.

Q. After your communication with the Chancellor of the Exchequer, did you know that it was the Chancellor of the Exchequer's intention not to produce this note to the House for some days.

A. I had no knowledge whatever of the intentions of the Chancellor of the Exchequer upon the business.

(By Mr. Thompson.)

Q. I think you have stated that Captain Sandon said that the usual channel of promotion had failed, or that he and others had been deceived with regard to the influence which he expected to be exerted, but that another channel of promotion was opened, but at a considerable expence; do you know any thing of the new channel of promotion to which Captain Sandon alluded?

A. I believe that if a reference is made to my statement, nothing of the sort will appear; I believe I have stated to this Hon. House, that Captain Sandon informed me that after considerable sums of money advanced by him for objects of promotion, they ultimately found the influence supposed to exist on the part of Mrs. Clarke, did not exist, and that it failed on the proof of trial; and that he never alluded to any new source or channel of promotion whatever.

Q. What other person was alluded to, in your opinion, when Captain Sandon mentioned that?

A. Captain Sandon alluded to the original person, but I have already stated to the House, that my curiosity was not excited to know who that person was, and he never informed me who was the intermediate person who received the money and transacted the business.

Q. Did Captain Sandon mention to you his intention of destroying the note?

A. On the contrary, Captain San-

don promised me, that he would preserve all the papers, and that he would follow the whole of the injunctions I had laid upon him.

Q. Did he mention to you he had destroyed it?

A. I have already stated to the House, that in a conversation that took place between Captain Sandon and myself upon our leaving the British Coffee-house, he did state that he had destroyed the note, and that I exclaimed, Good God! you have done extremely wrong.

(By Mr. Lockhart.)

Q. Did he ever mention to you what motive he had for destroying it?

A. Captain Sandon that never mentioned to me any motive which can have actuated any part of his conduct.

Q. Did he ever mention that the concealment of the note would be a benefit to any person?

A. Never.

Q. Did he ever mention that the production of it would be a prejudice to any person?

A. Certainly not.

[*The witness was directed to withdraw.*]

(William Huskisson, Esq. *was then called in, and examined by* Lord Folkestone.)

Q. Are you agent or counsel to the Duke of York in this business?

A. Certainly not agent, nor can I call myself counsel?

Q. Are you employed by the Duke of York in any way?

A. I was desired in a very early stage of this business, to assist in any way in which I could assist, in advice or otherwise, but I did not understand that any counsel could appear for the Duke of York, or that I was employed in that capacity. I am consulted by three of the military offices, the office of His Royal Highness the Commander in Chief, the War-Office, and the Barrack-Office, upon military subjects in which it is necessary to consult a professional gentleman, and was, I believe, called upon to assist in consequence of the knowledge that it was supposed I possessed of military subjects, as connected with legal consideration.

Q. Was it in consequence of so being called upon that you have attended constantly the proceedings of this House upon this business?

A. Certainly.

Q. When did Colonel Hamilton inform you that the note purporting to be written by the Duke of York, and supposed to be destroyed, was not destroyed?

A. It was between four and five, I believe towards five o'clock on the evening of the day on which Captain Sandon was called in and committed. I met Colonel Hamilton in Parliament-street, I believe I was walking at that time with the Solicitor General; he took me aside and told me, that he had just heard, or heard that morning, I do not recollect which he said, that the note was not destroyed, but was still in existence.

Q. Did you take any steps in consequence of that information?

A. I very shortly afterwards, almost immediately (I cannot recollect whether I went a little further on) came back to the House. The Committee I believe, was sitting when I came in, and I informed, I believe Mr. Huskisson, but I am not quite certain whether it was Mr. Huskisson or another gentleman who was just coming into the House, that I had just received this information.

Q. Were you present in the House after giving that information at the proceeding on that night?

A. I was.

Q. Was this information given before the statement made by the Chancellor of the Exchequer?

A. Certainly.

[*The witness was directed to withdraw.*]

(William Huskisson, Esq. *attending in his place, was then examined by* Lord Folkestone.)

Q. Did you receive the information with respect to the note from Mr. Harrison?

A. I did.

Q. What did you do in consequence?

A. I received that information, I believe, a very short time before my right hon. friend (Mr. Perceval) rose in his place to make a statement to this Committee of what he had heard from Colonel Hamilton on the subject of this note; I stated to him, I am told by Mr. Harrison, that he has heard from Colonel Hamilton that the note is not destroyed; and I believe I added, I think it can make no difference whether it is, or is not, in the statement you have to make; and in the examination of Captain Sandon, I certainly stated to my right hon. friend, that I had received this information from Mr. Harrison, who told me he had received it from Colonel Hamilton.

Q. Had you heard of this note before that?

A. I had been informed, by my right hon. friend, in confidence, of the account Colonel Hamilton had given of this transaction, and of his intentions, as I believe other members were informed, to make the statement to the House.

[*The Right Hon.* SPENCER PERCEVAL, *attending in his place, was examined by* LORD FOLKSTONE.]

Q. Would you wish to correct or alter any part of the evidence you gave on Monday, relative to this transaction?

A. I do not recollect any part of the evidence I gave on Monday that I would wish to correct or alter; if the noble Lord, in consequence of the information he has now collected, would wish to ask any other question, I will give an answer.

Q. When you made the statement to this Committee of the destruction of this note, had you heard that the note was not destroyed?

A. When I made the statement to the Committee, I had received such a communication as my hon. friend has just mentioned, and I did in the statement that I made to the Committee, if my recollection does not extremely fail me, state that I did by no means know whether the note was destroyed or not, and that statement I certainly did make in consequence of the information I had but recently received, for, except from that recent information, I had strongly impressed upon my mind that the note was destroyed.

Q. State who the persons were to whom you had given information respecting this note?

A. I can state several, but I cannot undertake to be certain that I can state them all; I communicated it to the Solicitor General, to the Attorney General, to my Lord Castlereagh, to Mr. Canning, and I think I mentioned it to Mr. Yorke, and I am pretty confident that I mentioned it to others; I mentioned it likewise to the Lord Chancellor, I mentioned it to my Lord Liverpool, and I mentioned it to Mr. Huskisson and Mr. Long, and they concurred in the opinion that Mr. Adam should communicate it to some friends of his on the other side of the House; and I believe that to every one of the gentlemen whose names I have mentioned, I did state at the same time my opinion, that from the first moment that I had heard of the existence of this note, I felt it to be my clear duty not to be the depository of such a secret; that I formed that opinion upon the first day that it was communicated to me, before I understood it to be destroyed, and that as soon as I did know that it was destroyed, which was the next day, I then communicated it to the different persons that I have mentioned; but I believe that no person did know of the existence of the note till I heard it was destroyed, except I believe the Lord Chancellor, when I had reason to believe it was in existence. Before I heard that it had been destroyed, I determined to communicate the fact, so that the note, if it was not destroyed, should be extracted by the evidence at the bar;

bar; and when I heard that it was destroyed, I still continued to act upon that determination, and made that determination known. In the examination that I made of the witness (Sandon) at the bar, I had in my mind, the whole time of that examination, the various points of fact which the witness had communicated to Colonel Hamilton, and if the witness had not at last confessed that the note was not destroyed, I should unquestionably have asked him, whether he had not communicated to Colonel Hamilton, that very morning, that it was not destroyed.

MR. HUSKISSON corrobotated the facts stated by the last witness, and added, that when he made the communication to him, he did not do so under the impression that it would make any difference in the transaction, as previously communicated by Colonel Hamilton.

The SOLICITOR GENERAL also confirmed the testimony of Mr. Perceval. He stated, that when the communication was made to him, he did not discover in his right honourable friend any purpose but one, which was a determined resolution, that the fact should be publicly known. He perfectly well remembered him saying, that it was due to his own honour as well as to justice, to ascertain whether that document was real or a forgery.

MR. CANNING also confirmed the above statement.

(WILLIAM ADAM, ESQ. *attending in his place, was examined by* LORD FOLKSTONE.)

Q. Did you receive from Colonel Hamilton, or Mr. Harrison, any information that this note was not destroyed?

A. I certainly received no information from Colonel Hamilton that this note was not destroyed: I cannot take upon myself to recollect, whether I received the information that it was not destroyed from Mr. Harrison or Mr. Huskisson; but much about the same time that Mr. Huskisson has stated himself to have received that information, I became possessed of that fact. I wish to state, that the circumstances which have been stated by Mr. Perceval respecting the determination to communicate, from the first moment of our intercourse upon that subject, was my determination as well as his. I wish further to state, that as soon after the note was reported to me to have been destroyed as I could possibly make the communication, I made the communication to the gentlemen whom I mentioned before, Lord Henry Petty, General Fitzpatrick, and Mr. Whitbread: I wish to add, that I mentioned it to those gentlemen, as Mr. Whitbread stated, on the Monday preceding Captain Sandon's first examination, and that on the day preceding his second examination, I mentioned it to my learned friend Sir Arthur Piggott, and to my learned friend Mr. Leach.

(REV. JOHN JOSEPH ELLIS, *was then called in, and examined by* MR. PERCEVAL.)

Q. You are a clergyman?

A. I am.

Q. In what situation of life are you?

A. One of the masters of Merchant Taylors School.

Q. Do you know a person of the name of Favery; Mrs. Favery?

A. Not by that name.

Q. By what name do you know a person

a person who has presented herself at this bar as Mrs. Favery?

A. Elizabeth Farquhar.

Q. Did she live in your service?

A. Yes.

Q. To whom did you apply for the character of Mrs. Farquhar, before she came into your service?

A. To Mrs. Clarke.

Q. Mrs. Clarke, who has been examined here this evening. A. Yes.

Q. Where did Mrs. Clarke live at the time you applied for Mrs. Farquhar's character?

A. In Golden-lane.

Q. Do you recollect the year in which Mrs. Farquhar came into your service?

A. It was in the beginning of July, in the year 1800, and, with the exception of three months, she lived in my family two years.

Q. You were not, at that time, a carpenter?

A. By no means, I was not.

Q. Did you apply to Mrs. Clarke for the character of this servant?

A. I did.

Q. Can you recollect what name you represented to Mrs. Clarke, the servant stated to belong to her?

A. Elizabeth Farquhar.

Q. Are you certain that you asked Mrs. Clarke for the character of a servant who called herself Elizabeth Farquhar.

A. Certainly.

Q. Did you ever know of Mrs. Clarke calling upon Mrs. Farquhar while she continued in your service?

A. Yes, repeatedly.

Q. Did Mrs. Clarke come in a carriage or on foot to see Mrs. Farquhar?

A. I rather think on foot, I never observed a carriage.

Q. Did she stay any time with her when she came there?

A. Sometimes half an hour, sometimes an hour.

Q. You say frequently, can you say whether it was eight or ten times in the period of her living with you?

A. I should think full that.

Q. Did she come to visit Mrs. Farquhar as an acquaintance, or for what purpose did she come?

A. Her visits appeared to me to be very familiar, principally in the morning.

Q. Did you understand whether there was any relationship between Mrs. Clarke and Mrs. Farquhar?

A. From the familiarity that subsisted between them, I surmised as much.

Q. Did you live in the same place during the time Mrs. Farquhar lived with you, or did you change your residence?

A. I have lived in my present residence fourteen years.

Q. Then during the whole time Mrs. Farquhar was living with you, your town residence was constantly where it is now?

A. Where it is now.

Q. Had you occasion while she lived with you, to take your family to the sea-side for their health?

A. Only once, while she lived with me.

Q. Did you go with your family upon that occasion?

A. I did.

Q. Did you leave your family there, or come back with them?

A. I went with them and returned with them.

Q. You stopped with them the whole time?

A. Yes, and returned with them.

Q. Was Mrs. Farquhar with you during the whole time?

A. She was with me during the whole time.

Q. Had you any reason to know from Mrs. Farquhar whether she was a married or a single woman, at the time she lived with you?

A. I considered her a single woman, and had no reason to suppose the contrary.

Q. Had you any reason to know from her whether she had a mother living at the time?

A. I know she had a mother liv-

ing, because she left my service after she had been in my family a twelve-month, for the space of three months, to nurse her mother, who was reported to be very ill.

Q. Had you any means of knowing where her mother lived at the time Mrs. Farquhar was in your family?

A. I know it was somewhere about Tavistock-place, but where I did not ascertain.

Q. From whom did you learn that?

A. From Elizabeth Farquhar herself.

Q. That she lived near Tavistock-place?

A. Somewhere in that neighbourhood.

Q. Have you seen Mrs. Farquhar lately?

A. I saw her last night.

Q. What occasion had you for seeing her last night?

A. She called upon me, and requested particularly to see me, and the motive of her visit was, that she felt herself extremely ashamed, and much hurt that she had mentioned my name in the manner that she had done; and further, to say that she did not know how to appear before this honourable House this evening, because you would not give her any credit for what she might state hereafter. I would further add, that she observed it was from motives of delicacy she withheld my name and my place of residence, and being taken by surprise.

Q. Delicacy to whom?

A. Delicacy to my family.

Q. Did she say it was out of delicacy to your family she mentioned you to be a carpenter?

A. She stated that she felt particularly ashamed that she had stated what she had relative to my profession.

Q. Did you learn from her that she knew you had been summoned to be a witness at this house?

A. She knew it from reading the paper yesterday.

Q. Did she inform you that she knew it?

A. Yes, she did.

Q. What did your family consist of, at the time you went to the seaside?

A. At that time my family consisted of three children.

Q. Was your wife alive?

A. Yes.

Q. She went with you?

A. Yes, she went with me.

(By Mr. Charles Adams.)

Q. Were you ever present at any of the visits you described to have happened between Mrs. Clarke and Mrs. Farquhar? A. Never.

Q. How then does it happen that you know that great familiarity passed between them?

A. Though I have not been present in the room with them, I have seen them meet together at my door, and they have addressed each other with great familiarity.

(By Lord Folkstone.)

Q. Have you seen that Mrs. Clarke lately?

A. This evening in the Lobby; but not to speak to her.

Q. That is the same Mrs. Clarke who used to visit this Mrs. Farquhar?

A. The very same.

Q. Has Mrs. Farquhar been in your family at any period since that time?

A. Not since she left my service in the month of May 1802.

Q. In what situation of your family did Mrs. Farquhar live?

A. As nursery-maid.

Q. Have you seen Mrs. Farquhar here?

A. I saw her pass through the Lobby this evening; but not to speak to her.

[*Mrs Favery was called in.*]

Mr. Ellis—This is Mrs. Farquhar.

FAVERY *was examined by* MR. PERCEVAL *as follows:*)

s that the Mr. Ellis whom presented as a carpenter the ight?

Yes, it is; I had no other in disguising Mr. Ellis than spect for the family, to bring eman from the pulpit to the

Mr. Ellis was directed to withdraw.]

What is your name?

My name is Favery.

low long have you been callhe name of Favery?

lways.

lave you not been called by ier name?

I took her name by Mrs. s permission; I asked her if ; and she said yes, I might at name if I pleased; that I et more respect shewn me.

When was that?

ome years ago.

low long ago?

en years ago; it is between d seven years ago since I ith Mr. Ellis.

low long have you been ac-d with Mrs. Clarke?

ver since she was married.

low long is that?

is twelve or thirteen years cannot exactly say.

Were you in Mrs. Clarke's serhen you desired you might r name?

es, I was.

nd that you might gain more , she told you to take her name when you were living ervice? A. Yes.

lad you ever taken that name A. No.

What name did you go by

lways my own name.

What was that name?

avery.

low long is it that you have dropped the name of Farquhar, and taken to the more ordinary name of Favery?

A. I am not obliged to answer those questions; I did not come here on that account.

[*The Chairman directed the witness to answer the question.*]

Q. How long is it that you have dropped the name of Farquhar, and taken to the more ordinary name of Favery?

A. I might take it if I pleased; I was not forced to take Mrs. Clarke's name; she told me I might if I pleased, and I did it.

Q. When did you drop the name of Farquhar, and take again the name of Favery?

A. When I went back to Glouces-ter-place.

Q. Was that that you might have more respect from the name of Favery, or out of delicacy to Mrs. Clarke's family?

A. More to Mrs. Clarke's family than to myself.

Q. I think you just told me, that in Mrs. Clarke's family it was, that for the sake of having more respect you dropped the name of Favery, and took the name of Farquhar?

A. That was to go to Mr. Ellis's; it was when I went there; and when I went back to Mrs. Clarke, I told you my name was Favery.

Q. Was it not to disguise from the family of Mrs. Clarke that your name was Farquhar, that you took the name of Favery?

A. No, I had no cause to disguise myself in any point whatever; I have never done any thing that I was ashamed or afraid of; I had no call to disguise myself in any point whatever.

Q. Where does your father live?

A. In his grave.

Q. Where did he live?

A. In Scotland.

Q. What name did he go by?

A. Favery.

A. Favery.

Q. Has your mother married since your father died?

A. My mother is dead.

Q. How long is it since she is dead.

A. Some years ago.

Q. How many years ago?

A. I cannot recollect; such questions as that put to me.

Q. Did your mother die before your father?

A. No, my father died first, and my mother afterwards.

Q. Were you come to England before your mother died? A. Yes.

Q. Were you in Mr. Ellis's service before she died? A. No.

Q. Did you ever go to see your mother when you were in Mr. Ellis's service?

A. No, I did not.

Q. Did you continue in Mr. Ellis's service from the first time you went into it till the last time you quitted it, without interruption?

A. I went away from Mr. Ellis's; Mrs. Clarke came for me in a coach, with her sister, and desired me to come to her child, which was ill, Miss Mary Anne; I went up to Hampstead to her; I said to Mr. Ellis that I wished to go away; he said, for what reason? I said my mother was ill, and I wished to leave; that was not so, but I did not wish to offend Mr. Ellis; and I went to Mrs. Clarke again, and staid with her some time, and then went back to Mr. Ellis's.

Q. And you told Mr. Ellis when you went back, you had been nursing your sick mother? A. Yes.

Q. Who was it you used to visit near Tavistock-place, when you were with Mr. Ellis?

A. I never visited any body there while I was with Mr. Ellis; I did not know Tavistock-place at that time.

Q. Who was it you used to represent to Mr. Ellis as your mother, that you wanted to go and see when you wanted to go out?

A. Mrs. Clarke and her children, and no one else; and if she was here she would represent the same.

Q. You represented that as a visit to your mother?

A. Yes, because I did not wish to tell him I was going there.

Q. You told him your mother's name was Mrs. Farquhar?

A. I did not tell him, because he never asked me.

Q. Where did Mrs. Clarke live at that time?

A. At Hampstead.

Q. Not in Tavistock-place?

A. No, she did not; and I did not know Tavistock-place at that time.

Q. Did you use to tell Mr. Ellis you were going to Hampstead?

A. Only once, and he gave me leave to go.

Q. Where did you use to tell him you were going to?

A. I never told him any where; he never put those questions to me; it was not above once a month, or once in six weeks that I did go out.

Q. Did you ever live with Mrs. Clarke in Tavistock-place?

A. I lived with her mother, and she lived there too some time after that.

Q. Are you any relation of Mrs. Clarke's?

A. That is not a question to put to me upon the business.

[*The Chairman directed the witness to attend to the questions, and to answer them in a manner becoming the dignity of the Committee.*]

Q. Are you any relation of Mrs. Clarke's?

A. No, I am not a relation to her.

Q. What objection had you to answer that question?

A. Because I think there is no reason to put such questions as that, that are not upon the business I was brought here upon.

Q. Did you never tell any body that you were a relation of Mrs. Clarke's?

A. No,

A. No, I do not think that I ever did.

Q. Can you have any doubt of that? A. Yes, I can.

Q. How came you to doubt about it?

A. I lived with Mrs. Clarke, to be sure; I know what you want to bring forward, and I will bring it forward myself; I suppose about my being married to Mr. Walmesley.

Q. If you have any thing to bring forward about Mr. Walmesley I shall be very glad to hear it?

A. I was married to this man, and I married in the name of Farquhar; he was a married man, and I would not live with him; he had a wife before me, and I never cohabited with him when I knew of it.

Q. How came you to marry him in the name of Farquhar?

A. I spoke to Mrs. Clarke upon it, and said, I am going to be married; she said, to whom? I said, to a coal-merchant; which I thought he was at the time, but I was deceived; she said, I would not have him; I said, I will, and I was married to him. I married in the name of Farquhar.

Q. How came you to marry in the name of Farquhar?

A. Because I had left Mrs. Clarke; she had not any money to give me, and she said if I could get any thing upon credit, I might take it in her mother's name, and so I did; and I took bills in the name of Mrs. Farquhar, and Mrs. Farquhar paid them.

Q. When was this?

A. Three years ago; I left Mrs. Clarke at the time.

Q. It was upon that occasion Mrs. Clarke permitted you to take the name of Farquhar?

A. No, before that she permitted me, I assure you.

Q. Then you went by the name of Farquhar before you married?

A. Yes, I did.

Q. How long did you live with your husband?

A. Four months; no longer.

Q. Did you never represent to your husband that you were related to Mrs. Clarke?

A. No, I never did.

Q. That you are positive of?

A. Yes, I never did, indeed, do that, because he asked me several times, and I told him, no, though I went by that name I was not related to Mrs. Clarke.

Q. How came the real Mrs. Farquhar to pay so many bills for you, which you drew in her name?

A. Because I lived with her daughter, and she gave me no money; I never had above 10*l.* of her in my life; I had only 10*l.* of her all the time she lived with his Royal Highness in that house.

Q. Did Mrs. Clarke never pay you more than 10*l.* for all your services?

A. No; once she gave me 5*l.* but never more than 15*l.* altogether during the time she lived with His Royal Highness.

Q. But before the time she lived with His Royal Highness?

A. Yes, then I have been paid very well, but I did not live always with Mrs. Clarke.

Q. You are not Mrs. Farquhar's daughter?

A. No, I positively am not Mrs. Farquhar's daughter.

Q. Are you not Mrs. Farquhar's husband's daughter by a former wife?

A. I cannot answer you that question, but I am not the present Mrs. Farquhar's daughter, I can assure you.

Q. Cannot you answer that question?

A. No, I cannot, indeed.

Q. Why cannot you answer it?

A. Supposing I did not know my mother nor my father; I cannot answer to that; I cannot tell what they did with me when I was young; I cannot answer such a question as that; it is impossible.

Q. How old were you when your father died?

A. I am sure I cannot tell you; I do not know my own age now.

Q. Were

Q. Were you an infant when your father died?

A. I believe I was; I did not know my own father.

Q. Nor your mother?

A. I do not know that I knew my mother.

Q. Which died first?

A. I believe my father died first, as far as I have heard; I cannot say to it.

Q. Did you know your mother?

A. I did not know my mother.

Q. Did your father marry again?

A I cannot answer to that question; I do not know.

Q. Do you mean to say you do not know whether your father married again?

A. No, I cannot answer that question.

Q. Did you ever hear Mrs. Farquhar say that you were the daughter of her husband by a former wife?

A. No, I never did.

Q. But you will not state that you were not the daughter of Mrs. Farquhar's husband by a former wife?

A. I cannot say any thing about it, but I can say I am not this Mrs. Farquhar's daughter; that I can answer to.

Q. Did you know that Mr. Walmesley was summoned to be a witness at this bar to-night?

A. No, I did not know it.

Q. You had not heard so?

A. No, I have not been told so.

Q. Have you not seen it in the paper?

A. Indeed I have not seen the paper to-day nor yesterday neither.

Q. Did you happen to know that Mr. Ellis was summoned as a witness?

A. Yes.

Q. How did you know that?

A. I went to beg his pardon; I did not wish to bring him into it at all, because I thought it was quite unnecessary to bring him in.

Q. Did you know that Mr. Ellis was summoned to be a witness at this bar?

A. Yes, I knew that he was summoned to be here.

Q. Do you mean that you did know, or that you did not know?

A. I did know, because I went to Mr. Ellis last night.

Q. Did you know before you went to him last night?

A. I was told that he was in the paper, and I said I was very sorry that he should be put into the paper on my account.

Q. Who told you so?

A. My mistress.

Q. Mrs. Clarke told you so?

A. Yes, I had no motive whatever for disguising Mr. Ellis, but only his family.

Q. Had you told Mrs. Clarke you had represented Mr. Ellis to be a carpenter?

A. I told her last night.

Q. Not till last night?

A. Yes.

Q. Are you quite sure you did not tell Mrs. Clarke before last night?

A. I told her I had so represented Mr. Ellis; she said, Why did you do it; I said I did not wish to bring him forward in the House.

Q. If you had represented him to be a clergyman, and represented your story truly, how would that have brought him forward?

A. I had no motive whatever for it, but to screen Mr. Ellis.

Q. Do you mean to say, that the wish to screen any person is a sufficient reason with you for representing the fact different than the truth?

A. That was my motive, and no other, to keep Mr. Ellis out of the paper.

Q. Do you mean to say, that the wish to screen any person is a sufficient reason with you for representing the fact different than the truth?

A. Yes, that was it; I wished to screen Mr. Ellis in every point.

Q. Do you recollect how often Mrs. Clarke called upon you while you were living with Mr. Ellis?

A. I believe once, and her sister Miss Isabel Farquhar.

Q. Only once? A. No.

Q. Are you sure of that?

A. Once

A. Once Miss Taylor called upon me, and Mr. John Clarke's wife; I never had any body but twice there.

Q. Never any body called upon you but these four persons?

A. No, I do not recollect any body else calling on me.

Q. Did Miss Taylor call upon you alone?

A. No, there was Mr. John Clarke's wife with her.

Q. Was that the Miss Taylor who has been here? A. Yes.

Q. Did she come upon a visit to you?

A. No, she only called to see me, and to tell me Mrs. Clarke wanted to see me as soon as possible; I told her I could not come out.

Q. Did you know Miss Taylor before she called upon you?

A. O, yes.

Q. How long have you known her?

A. Nine or ten years; she lived at Bayswater, and they had a house in Ormond-street.

Q. Do you recollect Mrs. Clarke's ever living with a person of the name of Ogilvy?

A. Not to my knowledge, she never did.

Q. Did you know such a person?

A. I have seen him; a lusty gentleman; I have seen him in Tavistock-place, two or three times.

Q. Had you any character given you when you went to live with Mr. Ellis?

A. Yes I had.

Q. By whom was that character given?

A. Mrs. Clarke or her sister; I do not know which gave it.

Q. Under what name was that character given?

A. In the name of Farquhar.

(By SIR T. TURTON.)

Q. Was the person whom you represented as Mr. Ellis, that you lived with as a carpenter, the person whom you also represented as keeping a linen-draper's shop at the other end of the town?

A. I never represented such a thing.

Q. Did you represent that Mr. Ellis to keep a shop?

A. Yes.

Q. Then is that statement that you made, wholly untrue, and a fabrication of your own?

A. It is quite untrue that he was a carpenter, he was a gentleman; but I did not wish, as I have before said, to bring him forward; it was a fabrication of my own doing, on purpose that I would not bring him forward.

Q. Was it a fabrication as to the statement that he kept a shop?

A. He never kept a shop, to my knowledge; he is a gentleman as I have told you before.

Q. Do you now recollect in what street he lived?

A. I did not know last night, when I went there; I was two or three hours finding the place out; though I had a coach to Cheapside, I could not find it out when the coach put me down; I never was at Mr. Ellis's since I left him till now.

Q. How long in truth did you live with Mr. Ellis?

A. I believe, as near as I can say, two years; I lived with him twice.

Q. During the time you lived with Mr. Ellis, did he change his residence?

A. No, never.

Q. You are quite sure of that?

A. Yes, I am quite sure of that, because I found him where I left him.

Q. Were you sent with the children to Brighton, or to the sea-side, by yourself?

A. No, I went with Mr. and Mrs. Ellis there; I went to Hampstead by myself with the children, when they had the measles, by Mr. and Mrs. Ellis's orders; but I did not mention that before; I never thought of it.

Q. You have said that your father lived in Scotland; in what part of Scotland?

A. I do not know in what part he lived.

Q. You have stated, that you did not wish Mr. Ellis to know where you were going to when you went to Mrs. Clarke's; what was your reason for wishing that?

A. I had no motive, only people do not like to have their children taken about; not that I suppose Mr. Ellis had any reason to suppose I should do any thing with his children, or any thing that would hurt them.

(*By* Mr. PERCEVAL.)

Q. Can you recollect where you were married?

A. Yes.

Q. Where?

A. At Woolwich church.

Q. By the name of Farquhar?

A. Yes, it is three years ago.

Q. Have you any relations in town?

A. I do not know that I have any relations, or any acquaintance; hardly two; I keep no company; I hardly see any one.

[*The witness was directed to withdraw.*]

(MR. GREENWOOD *was then called in, and a copy of a letter being shewn to him he was examined as follows:*)

Q. Is that in your hand-writing?

A. Yes, it is.

Q. Do you know what that paper is?

A. Yes, I do.

Q. State to the Committee what it is.

A. It is a copy of a letter written to Mrs. Clarke, after the Duke had separated from her.

Q. Written by whom?

A. By the Duke of York.

Q. Did you take this copy from the original letter so sent?

A. I did.

Q. You perfectly recollect that this is a correct copy of the contents of the letter so sent?

A. I conclude it was, I believe it is a correct copy; I do not recollect comparing it with the original afterwards.

Q. You copied this in your own hand-writing, from the Duke's letter?

A. Yes, I did.

[The letter was read.]

"You must recollect the occasion which obliged me, above seven months ago, to employ my Solicitor in a suit with which I was then threatened on your account; the result of those inquiries first gave me reason to form an unfavourable opinion of your conduct; you cannot therefore accuse me of rashly or hastily deciding against you: but after the proofs which have at last been brought forward to me, and which it is impossible for you to controvert, I owe it to my own character and situation to abide by the resolution which I have taken, and from which it is impossible for me to recede. An interview between us must be a painful task to both, and can be of no possible advantage to you;—I therefore must decline it."

May 1809.

"Copy of a Note supposed to have been W^n by the D——"

Q. Do

Q. Do you recollect the date of that letter?

A. Indeed I do not.

Q. You have stated that it was after the separation, how long afterwards?

A. Immediately.

Q. Is that docket, at the back of it, your hand-writing?

A. No, it is not.

Q. Was this letter written at the period of the separation, to announce the separation, or subsequent?

A. It was upon the separation, immediately after; I believe, his Royal Highness never saw her afterwards.

Q. Had he been in the habit of seeing her up to the time when this letter was written?

A. I really do not know that, I rather think that within three or four days he had seen her.

(*By* MR. C. ADAMS.)

Q. At whose desire was the copy of that letter taken?

A. At his Royal Highness's desire.

Q. Has it been in your possession ever since?

A. I have never seen it till to-night, I believe, from the time I took the copy.

Q. Do you know in whose possession it has been?

A. I really do not.

Q. To whom did you give it after having taken a copy of it?

A. I left it with the Duke of York.

[*A letter sent by Mrs. Clarke since she left the House, being shewn to the witness.*]—Q. Do you believe that to be the Duke of York's hand-writing?

A. I believe it is.

Q. Will you look at the address of that, do you know that hand-writing?

A. No, I do not at all.

[*The witness looked at another letter.*]—Q. Whose hand-writing is that?

A. I think this is the same hand-writing as the last.

[*Another letter being shewn to the witness.*]—Q. Do you believe that to be the Duke of York's hand-writing?

A. I believe it is.

[*Another letter being shewn to the witness.*]—Q. Do you believe that to be the Duke of York's hand-writing?

A. I think that is the same hand-writing.

Q. Do you know General Clavering's hand-writing?

A. No, I do not.

[The following letters were then read:]

"Without being informed to what amount you may wish for assistance, it is impossible for me to say how far it is in my power to be of use to you."

"Friday Morne."

Addressed:

"Mrs. Clarke,
No 9, Old Burlington-street."

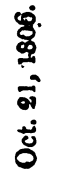
"If it could be of the least advantage to either of us, I should not hesitate in complying with your wish to see me; but as a meeting must, I should think, be painful to both of us, under the present circumstances, I must decline it."

Addressed:

"Mrs. Clarke,
No 18, Gloucester-place,
Portman-square."

"Oct. 21, 1806.

"It is totally out of my power to be able to give the assistance which you seem to expect."



Addressed:
"Mrs. Clarke,
Southampton."
1/4

"I enter fully into your sentiments concerning your children, but cannot undertake what I am not sure of performing.

"With regard to Weybridge, I think that you had better remove your furniture, and then *direct the person who was employed to take the house, to give it up again.*"

Addressed:
"Mrs. Clarke,
No 18, Gloucester-place,
Portman-square."

(To Mr. Greenwood.)—Q. Were you in the frequent habit of copying his Royal Highness's letters? A. No.

Q. Did his Royal Highness give you any particular reason, for wishing you to copy this letter?

A. I think I was with the Duke of York at the time he wrote that letter, and as he generally copies letters that he does write himself, that I undertook to copy it, to save him the trouble.

[*The witness withdrew.*]

(MRS. JACOB *was then called to the bar, and interrogated by* MR. WARDLE.)

Q. Are you niece to Mr. Nicholls? A. Yes.

Q. Had you any transaction with Mr. Nicholls with respect to property?

A. I had.

Q. State what it was.

[*The witness was ordered to withdraw.*]

MR. PERCEVAL wished the honourable gentleman to state what he meant, to direct this testimony; if it could really affect the case before them, he had no objection to its being persevered in.

MR. WARDLE said, that he wished to examine the witness as to a fact which he thought would materially shake the testimony of Nicholls; it had been represented to him, that he had stated that the last witness was dead, in order to obtain some property to which she was entitled.

MR.

Mr. Bathurst proposed, that the honourable gentleman should inform himself of the fact by communication with the witness, before he brought her forward in evidence; in which suggestion he acquiesced. After communicating with the witness, he stated that he found the circumstance to which he alluded, rested on the report of others to her; consequently she could not speak to her own actual knowledge.

(Charles Taylor, *Esq. a Member of the House, attending in his place, was examined by the Committee, as follows:*)

Q. Do you believe that to be General Clavering's hand-writing?
A. Yes, I do.
Q. Are you acquainted with his hand-writing? A. Yes, I am.
Q. Did you ever see General Clavering write?
A. How could I possibly assert I knew his writing, if I had not.

[The letter was read, dated the 8th of February, 1808.]

"Limmer's Hotel,
Conduit-street, 8*th Feby*.
6 P. M."

"My dear Mrs. C——,

"I have just heard that you had it in contemplation to subpœna me before the House of Commons; the report I hope is unfounded; at all events, *I am particularly to* beg, that you will take every care that *my name* even be in no shape whatever, or *on any account*, brought before the House of Commons. As being a family man, the world would be inclined to attribute motives to our acquaintance, which, tho' not existing, all the arguments in the universe would not persuade them to the contrary.

With great regard,
truly y^rs,
H. M. Clavering."

"In haste, 6 P. M."

"Mrs. Clarke,
Wes bourn-place,
Sloane-street."

(Thomas Lowten, *Esq. was called in, and examined by* Sir Thos. Turton, *as follows:*)

Q. You are a Solicitor?
A. I am an Attorney at Law and Solicitor.
Q. Do you remember being employed by Mr. Adam in the year 1805 to make any inquiries relating to Mrs. Clarke?
A. I do. The first application to me upon that subject was from his Royal Highness the Duke of York in the month of October, 1805, in consequence of a letter which had been written to him. I had the honour to see his Royal Highness, and he communicated to me the business in which he wished me to be employed, and I acted professionally and confidentially for him upon that occasion.
Q. In the course of such inquiries did you receive any and what proofs that Mrs. Clarke had made use of his Royal Highness the Duke of York's name to raise money?
A. I cannot say that I did in any inquiries that I made, discover that she

she had made use of the Duke of York's name to raise money. It appeared to me that in consequence of the protection she had from the Duke of York, and the way she lived, many persons were induced to trust her further than I think they would have done, if it had not been for that protection.

Q. In the course of that inquiry did any pecuniary transaction turn out, in which Mrs. Clarke was concerned, that, in your opinion, injured in any degree the character of his Royal Highness the Duke of York?

A. My inquiries upon that occasion were not directed to the purpose of knowing what transactions she had with respect to money concerns, they were of a nature which regarded Mrs. Clarke's husband and her family, rather than the mode in which she acquired money.

Q. Do I understand you to say you were not directed by Mr. Adam to investigate the circumstance of any pecuniary transaction in which the use of the Duke of York's name had been made?

A. I do not particularly recollect that Mr. Adam ever directed me to inquire particularly as to any transaction in which the Duke of York's name was made use of with respect to money; he had communication upon that subject with a gentleman who was more at liberty to go about than I was, which was Mr. Wilkinson.

Q. Do not you recollect Mr. Adam stating to you, that he considered the conduct of Mrs. Clarke had been very incorrect in pecuniary transactions, in the use of the Duke of York's name?

A. I do not recollect it.

Q. Do you recollect stating upon paper the result of your investigation of the inquiries to his Royal Highness the Duke of York?

A. In the beginning of the month of May 1806, having acquired as much evidence as appeared to me to be necessary for the purpose of satisfying the Duke of York on the subjects on which I was employed, those several matters which did so come to my knowledge were reduced to writing, and I do not know whether through Mr. Adam or some other person were communicated to his Royal Highness the Duke of York.

Q. When you had finished the examination, did you communicate the result of it with the proofs to his Royal Highness the Duke of York?

A. I put them into a train, and they went to his Royal Highness. I did not deliver them myself: I knew from his Royal Highness that he had them.

Q. To whom did you deliver them to be conveyed to his Royal Highness?

A. As to the hand, whether I delivered them myself, or any clerk, or any servant, I cannot tell.

Q. Were they conveyed by yourself or any other confidential person?

A. I really do not recollect.

Q. Are you sure that the result, and the documents upon which that result was founded, were communicated to his Royal Highness?

A. I have got in my pocket the thing that I communicated to his Royal Highness; I communicated all such things as appeared to me to be necessary and proper.

Q. Are you sure that the result, and the documents upon which that result was founded, were communicated to his Royal Highness?

A. I believe they were.

Q. Do you recollect, that with those papers there were any documents to prove, that any money was raised in the Duke of York's name, by Mrs. Clarke?

A. I think there were not, but the paper will speak for itself.

Q. Have you looked at the papers lately?

[*The witness was directed to with-*

draw, and it was determined that the last question should be expunged.]

(The witness was again called in.)

(*By* Mr. Lyttelton.)

Q. Do you know the Reverend William Williams?

A. I know very little of him; I remember him some years ago being about the Court of King's Bench, and very troublesome to Mr. William Jones the marshal.

Q. Have you seen nothing of him lately?

A. I never saw him till that night he was before this House, for seven or eight years.

Q. You did not see the Reverend William Williams lately, before he was examined at this House?

A. I saw him about seven o'clock that evening.

Q. Was that previous to his examination before the Committee?

A. It was.

Q. Was no application made to you by Mr. Williams, or by you to Mr. Williams, before that?

A. I had no application from Mr. Williams, nor did I make any to Mr. Williams, nor did I see Mr. Williams, except about three minutes in the lobby about seven o'clock, before he was examined.

Q. Had you any reason for thinking Mr. Williams insane?

A. I was induced to think very indifferently of him, as to his character and sanity, seven or eight years ago, on his calling upon me; I wrote to my friend Mr. Jones the marshal, and in answer I received a letter from him saying, have nothing to do with Mr. Williams, for he is mad.

Q. Do you recollect sending any person to Mr. Nicholls at Hampstead, some days ago?

A. I do.

Q. Who was that person?

A. It was Mr. Thomas Wright, who lives upon Haverstock Hill, near Hampstead.

Q. What was the object of sending Mr. Wright to Mr. Nicholls upon that occasion?

A. I sent Mr. Wright to find out where Mr. Nicholls lived, as I was told he had removed from Hampstead to a farm, and Mr. Wright being a resident at Hampstead, I thought him most likely to find out where it was he lived.

Q. Why did you wish to find out where he lived?

A. I had received intimation by a letter, that Mr. Nicholls could give material evidence as to the matter of inquiry before this Honourable House.

Q. What description of evidence?

A. It was respecting Mrs. Clarke and Mr. Dowler living at his house in the year 1807 and 1808.

Q. Did you wish to inquire after any letters that were supposed to be in the possession of Mr. Nicholls?

A. I did not wish to inquire, for I knew nothing of any letters that were in his possession till he came to be examined before this Honourable House.

Q. In the representation you made of the result of the inquiries into the conduct of Mrs. Clarke, was any part of it that she had raised money under the real or fictitious patronage of military promotion?

A. It did not occur to me in my inquiry, that any such transaction had taken place; it was not part of my enquiry; I never believed one word upon that subject.

(*By* Mr. Banks.)

Q. Have you had any interview with General Clavering during the course of this inquiry?

A. On the day that General Clavering was first examined, he called upon me in the Temple.

Q. Did he call upon you previous to his examination?

A. He did.

Q. What passed in that conversation?

A. I will state as nearly as I can; General Clavering when he came to

me said, that he had seen the statement made by Mrs. Clarke, in which his name had been mentioned; that he could contradict that statement very materially; he gave me his account of the contradiction, of which I made a memorandum in writing; after that, to my surprise, when I came down here, General Clavering came to where I was at Alice's Coffee-house with a letter ready written, addressed to his Majesty's Attorney-General, in which he had made use of my name I thought improperly; and I desired that my name might not be introduced; but that if he had any thing to communicate to the Attorney-General he would write it in his own name.

Q. Did you advise General Clavering to write a letter to the Attorney-General, or any other member of this House?

A. I did not advise him in any other way than I have just now stated.

Q. What advice did you give to General Clavering?

A. Not to make use of my name in any letter he might write to the Attorney-General.

Q. That is negative advice; what positive advice did you give him?

A. I did not give him any advice to offer himself to be examined; but that if he could give any contradiction to Mrs. Clarke's evidence, I thought it would be material he should be examined.

Q. Did you advise him to offer himself to be examined, if his evidence could materially contradict Mrs. Clarke's?

A. I did not advise him to offer himself voluntarily to be examined.

Q. Did you give him any advice, as the result of your conversation with him?

A. I really thought General Clavering competent to advise himself upon the subject; I did not give him any advice further than common conversation, to say if you will be examined send in your letter; I was not consulted by him by way of advice.

Q. What was the occasion of his coming to communicate with you?

A. I really do not know; he said when he came in, that he had a statement to make that would contradict Mrs. Clarke's statement; and I think he said that he had seen Colonel Gordon, and that he had desired him to call upon me.

Q. Did you understand that he came to you in consequence of the desire of Colonel Gordon?

A. I believe partly from the desire of Colonel Gordon, and partly from a wish of his own, to contradict the statement made by Mrs. Clarke; so I understood it.

Q. Did he ask you what would be the best course for him to pursue, after his conversation with you?

A. He did not.

Q. Did he say that he should write any letter to the Attorney-General, or any other member of Parliament?

A. He did not.

Q. At the time he left you, did you suppose, he was about to offer himself as a voluntary witness before this Committee?

A. When he left me in the Temple I did not suppose or expect any such a thing; when he quitted me at Alice's Coffee-house I did expect it.

Q. Did you put any questions to him, to know what any evidence he could communicate to this Committee might be?

A. I did; I asked General Clavering several questions as to his knowledge of Mrs. Clarke; how long he had known her, where he had seen her, where he had seen her last, and other questions, which occurred to me as proper for the investigation of the business in which I was engaged.

Q. Did you ask him any question, whether he had offered Mrs. Clarke any money for promotion, or for raising a regiment, to be procured through

through her influence with the Duke of York?

A. I did not; I should have thought it most impertinent, as I could not conceive a General Officer could be guilty of any such conduct.

Q. Did he communicate any such information to you?

A. Certainly not.

Q. Did you question him generally with regard to his communication and intercourse and acquaintance with Mrs. Clarke?

A. I did; and it appeared to me, from the paper which he produced, that Mrs. Clarke was making use of him for the purpose of getting some person promoted from one regiment to another; and it appeared that a letter, dated in the Temple, and apparently signed by a Mr. Sumner, contained a recommendation of that person so wished to be promoted, and who, he stated to me, Mrs. Clarke had represented as a relation of an honourable member of this House, and which letter he was to transmit to the Duke of York, in order to obtain that promotion.

Q. Did you ask him, whether he had maintained any correspondence with Mrs. Clarke upon the subjects of military promotion, or matters connected therewith?

A. I did not; and I knew of no other instance than the one I have just mentioned.

Q. Did he give you to understand, that he had communicated to you fully all that passed between him and Mrs Clarke upon the subject of military promotions, or matters connected therewith?

A. He did not say any thing to me upon that question, further than I have stated to the Committee.

Q. Did he inform you that he had shewn a letter, addressed to the Attorney General, to any other person before he shewed it to you?

A. I do not recollect that he did; there were two other persons present when he shewed it to me.

Q. Are you sure that you advised him to omit your name out of that letter?

A. I am.

Q. Are you sure that he omitted it in consequence of your representation to him?

A. He destroyed the first letter, and he wrote another, and read it to me, without my name being inserted in it.

Q. Did you make any observations upon the second letter?

A. I cannot say that I did, I do not recollect that I did.

(By Mr. Whitbread.)

Q. In the conversation that you have stated to have passed between General Clavering and you, did the words "If you will be examined, you had better send a letter;" pass at Alice's Coffee-house, or in the previous interview with General Clavering?

A. I said, if you will be examined, you had better send a letter; that was at Alice's Coffee-house.

Q. Did you advise General Clavering to call upon Mr. Ogilvie, or any other persons, touching this inquiry respecting Mrs. Clarke?

A. General Clavering mentioned the name of Mr. Ogilvie to me, as being the person who first introduced him to Mrs. Clarke, and said he could get this information from Mr. Ogilvie; and it is possible I might say, then you had better see Mr. Ogilvie.

Q. Did General Clavering give you any account afterwards of having seen Mr. Ogilvie?

A. I think he did, but I will not be positive; I do not recollect any thing that he said.

Q. You have mentioned, that before Mr. Nicholls came to the House of Commons to be examined, you were not aware that he was in possession of any letters; did you see those letters before Mr. Nicholls came.

came to the bar of the House with them?

A. I did see four bundles of letters in the possession of Mr. Nicholls.

Q. Did you examine those bundles?

A. I believe I turned over many of the letters, but I did not read any one of them.

Q. Were they examined in the presence of Mr. Nicholls or any other person?

A. The examination that I had was in the presence of Mr. Nicholls, and did not last five minutes; other persons were present; Mr. Nicholls's wife was present; I returned all the letters as I received them from him.

Q. Did you know of any sums of money paid by his Royal Highness to Mrs. Clarke, during her residence in Gloucester-place?

A. I did not.

(*By* MR. BERESFORD.)

Q. Have you with you the paper, on which you wrote the result of your conversation with General Clavering?

A. I have not.

Q. Have you in your recollection the contents of that paper, so as to enable you to state it to the House?

A. believe that paper, which was the rough copy of a paper which I wrote in the Temple, was sent into the House with his letter.

Q. Did you recommend General Clavering to send in that examination; was it inclosed in the letter, or how was it sent?

A. It was given, I believe, to Gen. Clavering open, without being inclosed in any letter.

Q. Was it in your hand-writing or General Clavering's?

A. In mine.

Q. Was it inclosed in the same cover as General Clavering's letter?

A. Certainly not.

Q. What do you mean by saying that it was sent in with the letter?

A. I believe I gave it to General Clavering in the Coffee-house.

Q. Who were present when you turned over those letters of Mr. Nicholls's?

A. Mr. Nicholls, Mrs. Nicholls and Mr. Wright.

Q. Nobody else?

A. Nobody else.

[*The witness was directed to withdraw.*]

(*The witness was again called in.*)

Q. Have you any and what reason to believe that Mrs. Clarke ever raised any money on the credit of his Royal Highness the Duke of York?

A. I do not know that Mrs. Clarke ever raised any money on the credit of the Duke of York; that she might get a great deal of credit with tradesmen for goods supplied to her in consequence of living in the way in which she did.

Q. In consequence of the inquiries which you made, did you find that Mrs. Clarke had ever raised any money upon the credit of the Duke of York?

A. I cannot say expressly that ever I did find it in any other way than I have before stated, that she got into debt to various tradesmen to a considerable amount, who were induced to trust her in consequence of her connection with the Duke of York.

Q. Look at the subpœna inclosed in the letter which you have; what is the name of the cause in which that subpœna was?

A. Turner against Mary Anne Clarke.

Q. Do you know from your situation as clerk of Nisi Prius in Middlesex, whether that cause was entered for trial in Middlesex?

A. I recollect perfectly that it was entered for trial, and it stood for trial, I believe, upon the 12th of May 1806; just before the cause was to be tried it was withdrawn.

Q. State how you received that letter with the subpœna inclosed?

A. I cannot positively recollect; I rather believe Mr. Adam communicated

nicated it to me; or what other gentleman who had communication with the Duke of York did so, I really do not know.

(*By* Mr. Adams.)

Q. Look at the signature of that letter, and merely read the name at the bottom of it.

A. The name appearing at the bottom of this letter is Henry Turner.

Q. Are you acquainted with him?

A. Just as I am acquainted with many other persons in town; I do not know that ever I spoke to him in my life.

Q. Do you know what he is?

A. I believe a pawnbroker, in Princes'-street, Leicester-fields.

Q. Do you know the hand-writing? A. I do not.

Q. How do you know that it is his hand-writing?

A. I believe it to be the hand-writing of Henry Turner, who I know was living in John-street, Golden-square.

Q. Do you know that Mr. Henry Turner, who lives near Golden-square is the Mr. Henry Turner who signed that letter?

A. I do not.

Q. During the connection between the Duke of York and Mrs. Clarke, did you ever know that Mrs. Clarke raised money upon the Duke of York's name?

A. I do not.

[*The witness was directed to withdraw.*]

(John Wilkinson, Esq. *was called in, and examined by* Sir T. Turton.)

Q. In what capacity do you live with Mr. Lowten?

A. I do not live with Mr. Lowten?

Q. In what capacity are you ever employed by Mr. Lowten?

A. I am very frequently employed by Mr. Lowten in the transaction of various businesses that arise in his office.

Q. Do you recollect being employed by Mr. Lowten in the year 1805, to make any inquiries relating to Mrs. Clarke?

A. I was.

[*The witness was directed to withdraw.*]

(*The witness was again called in.*)

Q. In the course of such inquiries, have you any proof that you can give to this House, of any money transactions in which Mrs. Clarke made use of the Duke of York's name?

A. I really do not know what this House would consider as proof; it came to my knowledge in the month of May, that the Duke of York had received notice that he was to be subpœnaed in an action brought against Mrs Clarke for money due to a man of the name of Turner; Mr. Turner's attorney, Mr. Batchelor, called upon me, and informed me he was going to serve the Duke of York with a subpœna, and read me a letter, which he said he had advised his client to send with the subpœna; but I had no proof that the money was due from Mrs. Clarke.

Q. Do you know of any instance in which Mrs. Clarke made use of the Duke of York's name to raise money?

A. I do not of my own knowledge.

[*The witness was directed to withdraw.*]

(Miss Taylor *was called in, and examined by* Sir T. Turton.)

Q. In your former examination, have you not said that you were very intimate with Mrs. Clarke, and frequently visited at Gloucester-place? A. Yes.

Q. When the Duke of York was present at those visits, was there anybody in company besides, at any time, that you can recollect?

A. None

A. None except the servants ever.

Q. Upon those occasions, did the conversation in your presence appear free and unrestrained?

A. Yes, quite so.

Q. Do you recollect, at any time, when you were present, any conversation taking place between Mrs. Clarke and his Royal Highness the Duke of York relative to military promotions?

A. Nothing except that time about Colonel French.

Q. Recollect, whether at that conversation relative to Colonel French, you are perfectly sure there was nobody present but Mrs. Clarke, yourself, and his Royal Highness the Duke of York?

A. Yes, I am very certain of it.

Q. Are you sure that the words that were used by Mrs. Clarke, on the occasion of the Duke of York's referring to her upon the conduct of Colonel French towards her, were, that his behaviour was middling but not very well? A. Yes.

Q. You are sure those were the words.

A. Those were the words.

Q. Did you at any time afterwards have any conversation with Mrs. Clarke, relative to the observation of the Duke of York upon Colonel French's business?

A. Not till within these three weeks or a month.

Q. What was the conversation you had at that time?

A. She asked me, if I recollected the Duke of York mentioning Colonel French's name in my presence.

Q. Did any thing else pass upon that occasion?

A. I immediately recollected the circumstance, and told her.

Q. Did Mrs. Clarke make any reply to that observation, and what?

A. I do not recollect what she said.

Q. Do you at all recollect any further conversation that passed at the time when the Duke of York made that observation relative to Colonel French's levy, besides what you have already given in evidence?

A. No, nothing at all upon that subject.

Q. Do you recollect at any time, Mrs. Clarke's stating in your presence to the Duke of York, any wish in favour of any application for military promotion?

A. Never.

(By the SOLICITOR GENERAL.)

Q. Do you recollect at any time Mrs. Clarke applying to the Duke of York in your presence for money?

A. No.

Q. Did any conversation at any time take place in your hearing between his Royal Highness the Duke of York and Mrs. Clarke, with respect to the pecuniary difficulties under which she laboured?

A. No, never.

Q. Do you recollect that Mrs. Clarke ever stated to his Royal Highness the Duke of York, that Colonel French had broken any pecuniary promise he had made her?

A. No, I do not recollect it.

Q. Do you now know Mrs. Hovenden?

A. What is meant by now.

Q. How long is it since you have ceased being acquainted with Mrs. Hovenden?

A. More than two years.

Q. Can you assign any reason for not being acquainted with Mrs. Hovenden at present?

A. I did not return the last visit she made me, I suppose that is the reason.

Q. Can you inform the Committee where Mrs. Hovenden lived at that time?

A. In South Moulton Street, I think, Oxford Street.

Q. Do you recollect at what number?

A. No, I cannot recollect the number.

Q. Do you recollect how long she lived in South Moulton Street?

A. I never knew.

Q. How long had you known her before

before she lived in South Moulton Street?

A. She was there when first I saw her.

Q. How long was your acquaintance with her?

A. Not above seven or eight months.

Q. Is Mrs. Hovenden a widow or a married woman?

A. She was a married woman, she is now a widow.

Q. Do you know where she lives now? A. No, not at all.

Q. I think you said that till three weeks ago, you had not mentioned the expression respecting Colonel French since it passed; do you mean to state that?

A. No, I do not think I ever did mention it.

Q. Then it was to Mrs. Clarke?

A. Yes, it was.

Q. How long ago is it since you heard the expression respecting Col. French?

A. I do not say it was during Mrs. Clarke's residence in Gloucester-place.

Q. About how long?

A. I cannot say.

Q. Was it a year, or two years ago? A. More than two years ago.

Q. Was it four years ago?

A. No, I do not think that it was quite so much, though I cannot say.

Q. Was it the winter or the summer? A. That I cannot recollect.

Q. Cannot you recollect at all what part of the year it was in? A. No.

Q. Nor what year it was in?

A. No.

Q. You have totally forgotten how long ago it was, or what part of the year it was in?

A. Yes, I have quite forgotten it.

Q. Was there any circumstance at the time passing which induced you to take particular notice, or to bear in your recollection the expression?

A. The chief circumstance was, that I never saw Colonel French, though I had heard his name, which made me curious when I heard his name, respecting him.

Q. No other circumstance but the one you have mentioned?

A. No other.

Q. After an interval of four years, you recollect a particular expression, without any intervening circumstance ever having happened to call it to your remembrance?

A. O, yes, I have thought of it since, though I have not mentioned it.

Q. You had never mentioned it to any body before you mentioned it to Mrs. Clarke, three weeks ago?

A. I believe not.

Q. What brought it into your thoughts so now and then?

A. The curiosity that I mentioned before, respecting a man that I was not allowed to see.

Q. Can you recollect what passed with Mrs. Clarke three weeks ago upon the occasion of this conversation respecting Colonel French?

A. No, nothing.

Q. Not one expression or circumstance that passed three weeks ago with Mrs. Clarke?

A. No, I do not recollect any.

Q. Is your memory so defective as to have forgotten all that passed in the conversation three weeks ago with Mrs. Clarke?

A. That is very possible, for it did not interest me at all.

Q. Where was it that Mrs. Clarke brought to your recollection, or enquired about Colonel French?

A. At her house in Westbourne-place.

Q. Was it at that time proposed to bring the subject forward in an inquiry?

A. I do not know about that.

Q. Was any body present when this passed between Mrs. Clarke and you? A. I believe not.

Q. Have you forgotten that too?

A. Yes.

Q. Cannot you now recollect any one fact or circumstance that passed three weeks ago with Mrs. Clarke, or even who was present?

A. I do not think any body was present, and I do not recollect any fact or circumstance.

Q. How came Mrs. Clarke to be making any inquiry about this?

A. I did not ask her that.

Q. Do you mean to state you do not know upon what occasion the conversation between Mrs. Clarke and yourself arose?

[*The witness was directed to withdraw.*]

(*The witness was again called in, and the question was proposed.*)

A. I suppose something relating to this business; I did not think of it at the time.

Q. Did not Mrs. Clarke inform you at the time why she was making this inquiry?

A. I do not recollect that she did.

Q. Will you positively say that she did not?

A. No, I will not, because I am not sure.

Q. Had any body been in your presence with Mrs. Clarke prior to the inquiry, asking questions upon the same subject?

A. No, I believe not.

Q. Cannot you remember that?

A. I cannot remember it, if it was the case.

Q. Cannot you remember, whether three weeks ago any body had, in your presence, when enquiring of Mrs. Clarke on the subject of military promotions by the Duke of York, or any thing which is now the subject of inquiry?

A. They did not inquire in my presence.

Q. When you were here before you stated that your father and mother were living, and of the name of Taylor? A. Yes, I did.

Q. Is that true? A. Yes.

Q. Does not your father go by the name of Chance?

A. He never told me that he did.

[*The witness was directed to withdraw.*]

MR. SMITH here objected to the course pursued by the Gentlemen on the opposite side; when the Solicitor General said he had reason to doubt her evidence, and therefore he pursued the line he had.

GENERAL LOFTUS said, he could prove that what she had said in respect to her relations was not authentic.

MR. WHITBREAD replied, that the Committee could not receive any assertion, unless borne out in evidence.

MR. PERCEVAL, MR. SMITH, and MR. BATHURST said a few words in reply, and witness was called in again.

Q. Did your father ever go by the name of Chance?

A. He never told me that he did.

Q. Do you mean to state that you never heard any body call him by the name of Chance?

A. No, I do not think that I ever did.

Q. Have you a doubt about it?

A. None, I believe.

Q. Then do you mean to state that he has always passed by the name of Taylor?

A. To the best of my knowledge.

Q. Recollect yourself, whether you mean to persevere in that, that throughout the whole time you have known your father, you never knew him called by any other name than the name of Taylor?

A. Never, throughout the whole time I have known him.

Q. Do I understand you to say, that during all the time you have known him, you never yourself, or in your presence, heard any body call him by the name of Chance?

A. No, never.

Q. Do you know Mrs. Favery?

A. As far as she was a servant of Mrs. Clarke.

Q. How long have you known her?

A. Nearly as long as I have known Mrs. Clarke.

Q. How long is that?

A. Some eight or nine years, I suppose.

Q. Did Mrs. Favery, all the time you have known her, go by the name of Favery, or by any other and what name?

A. When first I knew Mrs. Clarke, she went by the name of Martha, but I did not know her surname.

Q. Do you mean, that Mrs. Favery went by the name of Martha? A. Yes.

Q. Did

Q. Did you never hear Mrs. Favery go by any other name than that of Favery, or Martha?

A. I do not recollect that I did.

Q. Did you visit Mrs. Favery when she lived with Mr. Ellis?

A. I called upon her once; not as a visitor.

Q. Whom did you inquire for at Mr. Ellis's?

A. It was Mrs. Clarke's sister went with me; I was not the inquirer.

Q. Did not you hear Mrs. Clarke's sister inquire for her as Mrs. Favery, or by some other name?

A. I believe Mrs. Favery opened the door.

Q. How long were you together?

A. I cannot say.

Q. By what name did you or your companion address that woman?

A. By the name of Martha.

Q. And no other name?

A. No other name.

Q. Do you mean to state (recollect yourself before you answer that question) that that person never went by the name of Farquhar?

A. Never, to my knowledge.

Q. You have known her nine years;

A. Yes, about that time.

Q. And in no part of that time did she ever go by the name of Farquhar?

A. I never heard her called by that name.

Q. Were you well acquainted with her while she lived with Mr. Ellis?

A. Yes, she had lived with Mrs. Clarke previous to that.

Q. You had known her when she lived with Mrs. Clarke, previous to her living with Mr. Ellis? A. Yes.

Q. Do not you remember, that when she went to live with Mr. Ellis, she took the name of Farquhar?

A. I never heard that circumstance.

Q. Do you mean to say, that she continued to go by the name either of Martha or Favery, after she quitted Mrs. Clarke, and went to live with Mr. Ellis?

A. I never knew her by any other name.

Q. Do you remember Mrs. Favery being married?

A. There was some talk of it in the house, but it was scarcely believed.

Q. Did you know any of the relations of Mrs. Favery? A. Not one.

Q. You never saw her husband, or the person to whom there was a talk of her being married? A. No, never.

Q. You never saw a person of the name of Walmesley?

A. No, I never saw him.

Q. Do you recollect your father's father?

A. No, he was dead many years before I was born.

Q. What was his name?

A. I do not know what his name was; I never talked to any body about him.

Q. Might not your father, from distress, to avoid his creditors, have taken the name of Chance, or any other name, without your knowledge?

A. Then how should I know it. (*A laugh.*)

Q. Have you had a niece of Mrs. Hovenden's under your care at any time?

A. Yes, more than two years ago; she staid with me only a few weeks on a visit.

(*By* MR. PERCEVAL.)

Q. Is your father now alive?

A. Yes, he is.

Q. Do you know whether your mother has been in custody for debt, within a short time?

A. I cannot answer that.

Q. Do not you know that your mother has been in execution for debt?

[*Here the witness burst into tears, and the right hon. gentleman expressed his regret that he should be thus compelled to wound her feelings.*]

A. My mother has nothing to do with the present subject.

[*The Chairman informed the witness she must answer the question.*]

Q. Do not you know that your mother has been in execution for debt?

A. I must appeal to the indulgence of the Chairman; I cannot answer it.

MR. WHARTON said, as witness had appealed to him he must request the direction of the Committee, when finding it to be the prevaler

prevalent opinion that she should answer, he directed her to give an answer to the question.

The question being again repeated, Miss Taylor, in tears, at length replied...A. Yes.

Q. How long? A. Nearly two years.

[*The witness was directed to withdraw.*]

MR. PERCEVAL then alluded to Miss Taylor's former evidence, in which he felt confident she had described her father and mother as man and wife, and consequently she was not that respectable character she had represented herself.

MR. SMITH said he could not see, if he recollected rightly, how her present admission could affect her former evidence.

MR. WHITBREAD remarked upon the painful situation of the Chancellor of the Exchequer, even if he found it his duty for the ends of justice, to put such painful questions to the witness; but, if eventually he should find that he had unnecessarily harrassed the feelings of Miss Taylor, he was convinced that the right hon. gentleman would regret that he had ever put such questions. For his own part, he felt much for the witness, and did not think any thing yet had appeared to shake her testimony; throughout the whole of her evidence, she had shewed a sensibility and modesty which much interested him in her behalf; and if the hon. gentleman thought that illegitimacy shook her respectability, it could not in any way affect her credibility. (*Hear! hear!*) As yet he saw no reason why her testimony should be doubted.

During this conversation Mr. C. W. Wynne was busily employed searching the printed minutes of evidence on the table; and after remarking upon the feelings of some human beings, read that part of her evidence which she had given a few evenings before relative to her father and mother, by which it appeared only that she had said her father's name was Taylor, and that her mother's name was Taylor—(*Hear! Hear! Hear!*)

(MR. DEDERICK SMITH *was called in and examined by* GENERAL LOFTUS.)

Q. What are you?

A. A brazier and tinman.

Q. Do you know Miss Mary Ann Taylor, of China Row, Chelsea?

A. Yes.

Q. How long have you known her?

A. I cannot exactly say, but I think about fifteen years; I am not certain exactly to the time.

Q. Do you know her mother?

A. Yes, I do.

Q. How long may you have known her mother?

A. About the same time.

Q. Do you know her father?

A. Yes, I do.

Q. Do you know what his name is?

A. His name is Thomas Chance.

Q. Do you know his profession?

A. His profession was formerly a Stock Broker, but he failed, I believe.

Q. Did he ever do any business for you in that profession?

A. Yes, he has.

Q. Did you ever make a purchase of land of him? A. Yes, I did.

Q. In what name did he convey it?

A. In the name of Chance.

Q. Did he ever tell you that he had a wife?

A. His wife was Mrs. Taylor, she passed as his wife.

Q. Did he ever tell you that he had another wife?

A. No, he never told me so.

Q. Did you ever apply for him at the Stock Exchange under the name of Taylor?

A. Yes,

A. Yes, I have.

Q. Could you find him by that name? A. No.

Q. Under what name did you find him?

A. The name of Thomas Chance.

Q. How long has he ceased to be a broker?

A. To the best of my knowledge, two years; but I will not be certain.

Q. Did he do business publicly at the Stock Exchange every day as Thomas Chance?

A. Yes, he did.

Q. Was he known by any other name than that of Chance?

A. He was not.

Q. Did you ever see him with his daughter, Mary Ann Taylor?

A. Yes I have.

Q. Did he go by the name of Chance at that time?

A. No, he went by the name of Taylor.

Q. What was your reason for inquiring for him by the name of Taylor, at the Stock Exchange?

A. Because at that time I did not know but what his name was Taylor.

Q. How came you to apprehend that the name of a man was Taylor, whom you knew by the name of Chance?

A. I found out then that his name was Chance; before, I always thought his name was Taylor; I found it out when I began to deal with him, and not before.

Q. At what time did you find out that the name of this person was Chance.

A. I cannot exactly say the time, but it was that time when I wanted him to do business for me at the Stock-Exchange.

[By Mr. Smith.]

Q. By what name did the person, of whom you are speaking, go, when you were first acquainted with him?

A. He went by the name of Thomas Taylor.

Q. How long ago was that?

A. O, that is a good many years ago, ever since I knew him.

Q. How long did he continue to go by that name, to the best of your knowledge and belief?

A. He has gone by that name till I found out that his name was Chance, when he began to do business for me at the Stock Exchange.

Q. About how long ago may that be, that you apprehended that the true name of this party was Chance?

A. My memory will not furnish me with that, but it is several years ago, that is all I can say; I could find it out by papers, but my memory is very bad, and therefore I cannot go any further.

Q. In what neighbourhood did the party, of whom you speak, live, when you knew him by the name of Taylor?

A. He lived in Norman-street, and he lived at Bayswater, and all that time I knew him but by no other name than that of Thomas Taylor; nor my family, never any of them knew him by any other name.

Q. To the best of your knowledge and belief, was the party universally known, in all that neighbourhood, by the name of Taylor, and no other name?

A. Yes, he was. *(Hear! Hear!)*

(*By* General Loftus.)

Q. Do you recollect Mrs. Taylor and Miss Mary Ann Taylor calling at your house one day with a bill, or an instrument of that kind, to get cash for it?

A. They called at my house, and Mrs. Taylor wanted to borrow some money of me; she said she had a paper to give me as a security, which she would not trust with any body else.

Q. Did you state to them that Mr. Chance was coming to your house on that day?

A. I did.

Q. Did they then know him to be the person that you knew as Mr. Taylor? A. Yes.

[*The witness was directed to withdraw.*]

(*The witness was again called in.*)

Q. Did Mary Ann Taylor make any observation upon your stating that Mr. Chance was coming?

A. She laughed, and said to the mother, We will say we only paid Mr. Smith a morning visit.

[*The witness was directed to withdraw.*]

(*The witness was again called in.*)

Q. What did Mrs. and Miss Taylor, or either of them, say or do, in consequence of your telling them Mr. Chance would be there that morning?

A. Miss Taylor said to the mother, We will tell my father, I think, I will not be positive, if he comes, that we only paid Mr. Smith a morning visit; they stopped a bit, and then they went away.

(By Sir J. Sebright.)

Q. Are you quite sure, that when you told Mrs. Taylor and her daughter, this person was coming, you made use of the name of Chance; are you quite sure you did not say, Mr. Taylor is coming?

A. I am not quite sure; I think I said Mr. Taylor, by way of a compliment. (*Hear! Hear!*)

Q. Have you any means of knowing that Miss Mary Ann Taylor knew her father by the name of Chance; and if you have, what are those means?

A. I have no means of knowing that she did. (*Hear! Hear!*)

[*The witness was directed to withdraw.*]

(General the hon. Chapple Norton *attending in his place, was examined by the Committee as follows.*)

Q. Do you recollect the state in which the army was, when His Royal Highness took the command of it, in regard particularly, to the mode in which the promotions and commissions of the army were carried on?

A. I believe in former days, those officers who had great weight of interest, might have got promoted very rapidly, much sooner perhaps than was right or proper; His Royal Highness made, in my opinion, very salutary regulations to prevent that. I could, if it was not trespassing too much upon the time of the Committee, speak very fully to what I believe, and what has come to my knowledge, to have been the conduct of the Commander in Chief since he has been at the head of the army.

Q. State any particular circumstances that are within your own knowledge, with reference to this particular part of the subject?

A. Perhaps of all others, this is a subject I am least able to speak to; but the conduct of His Royal Highness, with respect to the army in general, I can speak to at large, that he has done more service to the army than all his predecessors the Commanders in Chief; and I will state in what manner: in the first place, and what is very material, I recollect very well that His Royal Higness I believe, was the instrument and the means, through the medium of this House, of giving bread to the soldier when he had little or nothing to eat; and I will exemplify that, by a conversation I had with a Lieutenant Colonel of one of the best regiments in his Majesty's service, the late Lord Cornwallis's, Colonel York. I was very sensible of the very scanty pittance the soldier had to subsist on in this country, and I endeavoured to do what I could to assist in the measure; and Colonel York supplied me with a very strong instance, which was when the 33d regiment was about to return home from a foreign station. According to the Articles of War, the Commanding Officer of each regiment so returning is to make known to his men, that any soldier who wishes to remain behind upon that station is at liberty so to do; the men of the 33d regiment informed Colonel York that it was their intention all to remain behind, and continue abroad, because where they were they had sufficient to eat, and if they came to this country they should not have a dinner. His Royal Highness first got an allowance of bread to the soldiers, and afterwards of beef, and then their pay increased, and

and upon which the soldiers are very comfortable. If it was not wearying the time of the Committee, I could mention another very singular instance. After the American war, I recollect a soldier in my own company (I was in the Coldstream regiment of Guards) that came home, and had been very severely wounded; he was discharged from the regiment, the regiment had nothing further to do with him; he was recommended to Chelsea, but Chelsea had no means of taking care of him; and the man would have been left to perish, if it had not been for the Quarter-master of the Coldstream, who went to the Officers at Chelsea, and the Officers at Chelsea did get the man taken care of. Since that (I take for granted His Royal Highness was very much the means of doing it) the York Hospital was instituted; so that the men have not been left in that distressed situation since the American war.

Q. In your opinion, have the condition and discipline of the army upon the whole declined or improved since His Royal Highness took the command?

A. I am one of those, unfortunately, who think there was a very good system in the army, with regard to discipline, before His Royal Highness came to the head of it.

Q. Referring to the time when His Royal Highness took the command of the army, and the latter part of Lord Amherst's time, has the state of the army improved since His Royal Highness took the command?

A. There was a very good system then, or else our regiments would not have gained those advantages which they did; and I really do not know that it is better now than it was then, if I am to speak my opinion.

(*The* RIGHT HON. GENERAL FITZPATRICK, *attending in his place, was examined by the Committee as follows.*)

Q. Do you recollect the state in which the army was, when His Royal Highness took the command of it, in regard, particularly, to the mode in which the promotions and commissions in the army were carried on?

A. I am persuaded that there is no officer of long standing in the service can recollect the state of the army previous to His Royal Highness's taking the command, who will not be ready to testify the very great improvement which the army has derived in every respect from His Royal Highness's management of it; I do not presume to give this opinion on my own experience merely, having no pretensions myself but that of long standing in the army; I consider myself as a competent judge of the question, I really believe the notoriety of this fact to every officer who has any knowledge or experience upon the subject, is such, as in my humble opinion, to have made any such reference to General Officers wholly unnecessary; and all I have to say upon this subject is, that there is no officer in the army who will contradict the fact.

(*The* RIGHT HON. THE SECRETARY AT WAR *attending in his place, was examined as follows:*)

Q. Do you recollect the state in which the army was, when His Royal Highness took the command of it, in regard, particularly, to the mode in which the promotions and commissions in the army were carried on?

A. I can only say that I concur entirely in every syllable which was delivered by my right hon. friend over against me (General Fitzpatrick); with regard to the manner in which promotions were carried on before the present Commander in Chief assumed the command of the army, particularly in the period immediately preceding his appointment, there was certainly great abuse, and such as, if continued, must have proved highly detrimental to the service. It is notorious that rank in commissions and rank in the army, were got entirely by money, or, what was the same thing, by raising a certain number of men, indeed more generally by paying for it; there were many instances of Officers who attained their rank of Major, belie

believe of Lieutenant-Colonel in the space of one or two years. His Royal Highness, soon after he assumed the command, established a regulation, in consequence of which no Officer could attain the rank of Captain, before he had served two years, nor that of Field Officer before he had served six, and I believe that those regulations have been rigidly adhered to, and have been of infinite service to the army.

Q. State whether in your opinion, upon the whole, the condition and discipline of the army have declined or improved during the time His Royal Highness has been Commander in Chief?

A. In expressing my concurrence with what had fallen from my right hon. friend, I have answered that question. I certainly conceive that the condition of the army is very considerably improved, and I am certain that its discipline particularly (meaning the discipline in the field) has improved to a very great degree. I recollect when it was a matter of difficulty to place five or six regiments upon the ground, so, I mean, as to be enabled to act against an enemy; that operation is now performed with as much facility as that of placing a company; when those five or six regiments were so placed, it was a matter of great difficulty to make them move in an uniform line, that is now done with the utmost precision and facility: I therefore conceive, without going further, that the discipline of the army, and their power of action, have very considerably improved by the uniform system which has been produced under the auspices of the present Commander in Chief, and that to that great part of our military glory is owing.

(The Right Hon. SIR ARTHUR WELLESLEY, K. B. *attending in his place, was examined as follows:)*

Q. Do you recollect the state in which the army was, when His Royal Highness took the command of it, in regard, particularly, to the mode in which the promotions and commissions in the army were carried on?

A. With respect to the manner of conducting promotions in the army, I cannot say that I knew much about it before the present Commander in Chief was appointed; I rather believe, however, from all I have heard, that it was very irregularly conducted; that a regulation which existed at that time, that no Officer should be made a Captain till he had served two years, was frequently broken through, and that much injustice was done to many old Officers in the army; I know that since His Royal Highness has had the command of the army, the regulations framed by him for managing the promotion of the army have been strictly adhered to, and that the mode in which the promotion is conducted has given general satisfaction. I must also state that, besides my knowledge as a General Officer of the army, of the mode in which the promotions of the army are conducted, I have some knowledge of it from my official situation; and having had frequently to apply to his Royal Highness for promotion for different Officers, in consequence of applications which have been made to me, I have never found, in any one instance, that His Royal Highness has departed from the regulations laid down for the promotion of the army, or that he has done injustice to any individual. I must also state, that in applying to His Royal Highness, which I frequently do for Ensigncies, I have found His Royal Highness invariably ready to attend to my applications, and I also know that many persons have got commissions from His Royal Highness, by applying direct to him, without coming through me. In respect of the state of the army, I can say from my own knowledge, as having been a Lieutenant Colonel in the army when His Royal Highness was appointed to command it, and having a very intimate knowledge of it, since that it is materially improved in every respect; that the discipline of the soldiers is

improved; that owing to the establishments formed under the directions of His Royal Highness, the Officers are improved in knowledge; that the Staff of the army is much better than it was, and much more complete than it was; that the cavalry is improved; that the Officers of the cavalry are better than they were; that the army is more complete in Officers; that the system of subordination among the Officers of the army is better than it was, and that the whole system of the management of the cloathing of the army, the interior economy of the regiments, and every thing that relates to the military discipline of the soldiers, and the military efficiency of the army, has been greatly improved since His Royal Highness was appointed Commander in Chief.

Q. Do you consider the improvement you have specified, to be owing to the personal superintendance and personal exertions of His Royal Highness the Commander in Chief?

A. The improvements to which I have adverted have been owing to the regulations of His Royal Highness, and to his personal superintendance and his personal exertions over the General Officers and others who were to see those regulations carried into execution.

(GENERAL GROSVENOR *attending in his place made the following statement.)*

I wish to state my humble testimony of the high sense I entertain of the advantages the army has derived from the zeal, attention and care, of His Royal Highness the Commander in Chief.

The evidence having been finally concluded, MR. PERCEVAL suggested, that as the whole of the minutes would be printed by the following Monday, it might be proper to fix the earliest opportunity after, for taking the report into consideration; he therefore proposed Thursday next, for that purpose, which, with the approbation of MR. WARDLE was agreed to.

The House being resumed, the report was brought up, and the consideration of it fixed for that day.

MR. C. WYNNE gave notice that he would on the day following, submit a motion to the House respecting the evidence given by General Clavering before the Committee.

The House adjourned at half-past three o'clock.

APPENDIX

TO THE FIFTH DAY'S MINUTES OF EVIDENCE CONTAINING PAPERS RELATIVE TO COLONEL FRENCH'S LEVY.

N B. The remarks which appear at the foot of the pages of this Appendix in the form of Notes, were inserted in the margin of the original documents by the Commander in Chief.

No. 1.

(No. 1.)---TERMS proposed to raise a Corps of 5,000 Men to complete the old Regiments.

That an allowance be made of twenty-five guineas for each man approved at the appointed Depots, which are below mentioned.

That no man is to be enlisted above 35 years of age nor under 5 feet 5 inches, but well made growing lads between 16 and 18 years of age may be taken at 5 feet 2 inches.

That an allowance to be made of twenty guineas for growing boys, approved as above, under 16 years of age, at 4 feet 6 inches.

That the above sums of twenty-five guineas for men, and twenty guineas for boys, are to serve as a fund to subsist the recruits until finally approved at the appointed Depots, to pay their bounties, to afford pay to the officers employed on this service to furnish clothing, appointments, and pay to the Non-commissioned Officers, Drummers, &c. &c. &c. In short this fund is to cover all recruiting expences and casualties whatever.

The recruits are to be engaged without limitation as to the period or place of their services; and such Corporals it may be found expedient to employ, are to be given to understand, that they are liable to be drafted as privates into the old regiments.

Each recruit is to be provided with the following slop-clothing, viz. a plain red cloth jacket, so made as to button close to the body, and to have a stand-up collar, a short waistcoat lined with flannel, a pair of long mixed-coloured cloth trowsers, and one plain round black hat and cockade.

An allowance to be made of 1*l.* 7*s.* 6*d.* for the expence of slop-clothing for each approved recruit.

That the bounty given to the recruits, not exceed that given by the Line.

It is submitted, that the following places are to be fixed upon for Depots (as considered best calculated to expedite the service) where the recruits are to be finally passed by an Inspecting Field Officer, or such other officer as may be authorized by His Royal Highness the Commander in Chief: Edinburgh, or Berwick-on-Tweed, the Isle of Man, Tilbury Fort, Corke, and the Isle of Wight.

That the officers employed on this service, upon being approved by the Commander in Chief, are to be gazetted, and have temporary rank in the army.

That Government in the first instance is to issue an advance, in order to enable the Levy to proceed.

And it is humbly hoped, if the chiefs of this Levy carry into prompt and successful effect (which they pledge themselves to do) a measure of such magnitude and importance, that their exertions will have the honour of meeting the approbation and consideration of His Royal Highness the Commander in Chief.

And notwithstanding the high bounties now given to recruits for the Army of Reserve and Militia, they are now prepared to commence the proposed Levy immediately, trusting to their strenuous exertions and attention.

J. FRENCH,
Colonel, late 102d Foot.
H. SANDON, late Lieut. Col. of North Middx. Regt. of Militia, and now Captain in the Royal W. Train

London Feb. 1st, 1804.

(No.

(No. 2.)—PROPOSALS to raise 5,000 Men to complete the old Regiments.

To carry into efficient effect a Levy on so extensive a scale, it is submitted that the following Non-commissioned Officers should be allowed, which are considerably under the usual complement for the number of privates:

90 Serjeants,
90 Corporals,
40 Drummers,

with the usual allowance of Pay-master, Quarter-master, Adjutant, and Surgeon. On completing the first 500 men, to be allowed to recommend three Captains, two Lieutenants, three Ensigns, a Quarter-master and Adjutant. On completing the first thousand, to be allowed to recommend one Field Officer, two Captains, two Lieutenants and three Ensigns, and so on progressively until the whole Levy of 5,000 men is compleated. The officers recommended, are not to dispose of their former commissions. To be allowed Levy money at the rate of 15*l.* for each approved recruit.

The bounty to each recruit to be the same as that paid by the Line. Slop-cloathing at 1*l.* 7*s.* 6*d.* per man to be allowed.

J. FRENCH,
Col. late 102d Foot.

H. SANDON, Capt. R. W. Train, and
Deputy Lieut. Coun. of Middx.

Memorandum:

The letter of service granted to Colonel French and Captain Sandon, is dated the 30*th April* 1804.

The Levy money was augmented from thirteen guineas to nineteen guineas for each appproved recruit, from the 28*th June* 1804.

The Levy was discontinued on the 23*d April* 1805.

C. H.

No. 2.

NOTE from Colonel French to Colonel Clinton; March 5th, 1804.

Col. French presents his compliments to Colonel Clinton: he hopes he will excuse his taking the liberty of requesting to know, if the proposals submitted to the Commander in Chief by Col. French and Col. Sandon, have met with the approbation of His Royal Highness.

March 5, 1804,
Cecil-street Coffee-house, Strand.

No. 3.

Copy of a LETTER from Colonel Clinton to Colonel French.

Sir, Horse Guards, 7th March, 1804.

In reply to your note of the 5th inst. I have it in command to acquaint you, that you should address yourself on the subject of the proposal to which you allude to Lieutenant General Hewett, who will give it every consideration, and should he deem your plan to be eligible, will then submit it for the Commander in Chief's consideration.

I have, &c.
(Signed) W. H. CLINTON.

Colonel French,
Cecil-street Coffee-house.

No. 4.

LETTER from Colonel French to Colonel Clinton, dated 20th March 1804; enclosing terms for raising a Corps of 5000 Men for General Service.

Cecil-street Coffee-house, Strand,
March 20th, 1804.

Sir,

In consequence of the circumstance which you stated to me for consideration yesterday, respecting the terms proposed for raising a corps of 5,000 men for general service, and as that point only, viz. the amount of Levy money proposed for the recruits, appears to be objectionable to His Royal Highness the Commander in Chief; Captain Sandon and myself, anxious to render our humble exertions acceptable to His Royal Highness, herewith have the honour to inclose terms, wherein we have changed the Levy money for each approved recruit from 12*l.* to 10 guineas, which we hope will meet with the approbation of His Royal Highness.

I have the honour to be,
Sir,
Your most obedient humble servant,
J. FRENCH,
Col. late 102 Foot.

Colonel Clinton,
&c. &c. &c.

PROPOSALS to raise Five Thousand Men, to complete the old Regiments.

To be allowed to appoint 90 Serjeants, 90 Corporals, and 60 Drummers.

Their subsistence to commence from the dates of their actual appointments as such. The one half of the above to be reckoned as part of the complement of the first five hundred, and the remainder as part of the first thousand.

To be allowed Levy money at the rate of ten guineas for each recruit passed at the Depots which are hereafter mentioned, together with their subsistence from the dates of attestations, but subsistence and slop clothing only for rejected men.

* Not to enlist any man above the age or under the size directed by the recruiting instructions for the Line. The same rule to apply respecting boys.

Agreeably to what was allowed to the Levies for general service the last war.

It is proposed that for such recruit as may receive an intermediate approval by an Inspecting Field Officer of a District, and afterwards desert, an allowance will be made of three guineas, provided it appears no improper delay has taken place in sending such recruit forward for final approval.

That the men are to be engaged without limitation as to the period and place of their service; and the Corporals, when approved, are to be given to understand that they are liable to be placed drafted as privates into the old regiments. Of the † Serjeants, the one half are to be allowed their discharge at the completion of the Levy, if they desire it; the remainder, and the Drummers, are to be transferred as such.

The actual expence for the clothing and appointments of the A Non-commissioned Officers and Drummers to be allowed. for effective provided by Government.

‡ Each man to be provided with the following slop-clothing:—A plain red cloth jacket, so made as to button close to the body, and to have a stand-up

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* Qu. As to the number of boys, and the bounty to be allowed growing lads, as regiments are allowed.

† It is presumed that the public are not to be charged with bounty for the Serjeants.

‡ Qu. Whether any cloathing is necessary till the recruits are approved and attached to regiments.

collar,

collar; a short red waistcoat lined with flannel; a pair of long mixed-coloured cloth trowsers, and one plain black hat and cockade.

That he shall, out of his bounty, be supplied on his final approval, with such necessaries as are pointed out in the instructions for the recruits of the Line; and he shall be free from debt.

* That an allowance is to be made for the slop-clothing of one Pound seven Shillings and Sixpence for each recruit specified as above.

† That the bounty to each recruit is to be the same as is now paid by the Line.

To be allowed during the Levy the assistance of ten Officers, whose names are to be stated to his Royal Highness the Commander in Chief for his approbation; and such of these as may be upon the half-pay during their services, to be allowed full-pay.

That Government in the first instance shall grant an issue, in order to enable the Levy to proceed without delay.

‡ To be allowed, during the Levy, the usual allowance of Adjutant, Paymaster, Surgeon and Quarter Master.

§ At the completion of the first 500 men, to be allowed to recommend two Captains, two Lieutenants, two Ensigns, a Quarter Master and Adjutant.

Upon completing the first thousand, to be allowed to recommend one Field Officer, one Captain, two Lieutenants, and two Ensigns; and so on progressively until the Levy is compleated.

The officers recommended not to be allowed to dispose of their former commissions. The dates of the commissions of the officers recommended to take place from the date of the letter of service.

The following Depots to be fixed upon where the recruits are to be finally approved by an Inspecting Field Officer, or other Officer, as the Commander in Chief may judge proper to authorize:—Tilbury Fort, the Isle of Wight, the Isle of Man, Edinburgh or Berwick on Tweed, Cork, Dublin.

J. FRENCH,
Colonel late 102 Foot.

H. SANDON, Capt. R. Wag. Train, late Lieut. Col. North Middx. Regt. and Deputy Lieut. for the County of Middx.

Cecil-street Coffee-House, Strand, 20th March, 1804.

2½ for growing Lads.
4 Guineas for men.

No. 5.

LETTER from Colonel French to Colonel Clinton; dated 15th April, 1804.—(Three Inclosures.)

Colonel French trusting to the known goodness of His Royal Highness the Commander in Chief, presumes to offer some observations respecting the terms (in behalf of himself and Captain Sandon) which he had the honour of laying before His Royal Highness, for raising a corps of 5,000 for general service, and those which have been communicated by Colonel Clinton. He begs in

* Very objectionable.
† Care must be taken to secure the recruits receiving the bounty.
‡ Provided they are effective.
§ This appears a very objectionable measure. It would in our humble opinions, be preferable to give Col. French a considerable compensation on the completion of his Levy, than to open this door to abuse, and give up such a degree of patronage to an individual.
= Objectionable.

the first instance, to refer His Royal Highness to a comparative statement, herewith inclosed, between the proposal he had the honour to lay before His Royal Highness for raising 5,000 men for general service, and the plan adopted by Government to raise an equal number by regiments. The difference in favour of the plan of the Levy, in point of saving to the Public, is obvious. However, it appears that Government, instead of granting the recommendation of commissions in raising the Levy, are disposed to allow a specific sum above the Levy money; which sum, Colonel Clinton has mentioned, it is proposed should be two guineas, a consideration *by no means* one half of what would have been allowed (though so favourable as has been made appear to Government) by the commissions.

From the insight and knowledge possessed by His Royal Highness of the recruiting service, it is scarcely necessary to represent the various heavy extra expences attending an undertaking of such magnitude, the very great attention and activity required on the part of the undertakers, with great attendant charges; the absolute necessity (besides a multiplicity of rendezvouses) of having, in the most populous towns, houses fitted up as barracks, with every kind of convenience for the accommodation and health of the recruits; the risk of bad debts by the imprudence of some officers, which, with every precaution, Commanding Officers are liable to, particularly on the present extended scale. In short, the various expences attendant on such a service cannot but absorb, or at least very nearly, the two guineas proposed. Under these circumstances, and fully confident of His Royal Highness's liberality, blended with public economy, it is humbly proposed to the Commander in Chief, that further addition of two guineas, under whatever head His Royal Highness may judge most proper, may be allowed.

No. 9, Duke-street, Adelphi,
April 15, 1804.

C. L. acquaints Col. French that H. R. H. cannot recommend any other terms being acceded to than those with which he has been made acquainted.

The following is submitted to the consideration of His Royal Highness the Commander in Chief:

J. FRENCH,
Colonel late 102d Foot.

For the farther encouragement and expediting the completion of the Levy, the sum of two guineas per man (under the head of *Bringing Money*) will be allowed in your public accounts, to be disposed of in such manner as you shall judge most conducive to the purposes for which it is intended.

Difference of expences to Government, on the reduction to half-pay (exclusive of the period of full-pay), between a Levy proposed of 5,000 men for general service, and the same number of men to be raised in five regiments of 1,000 men each, upon the plan now adopted by Government.

Officers for the Levy *in proportion as it advances to completion.*	Officers for 5 Regiments.	Difference.
Field Officers - 5	Field Officers { Lt. Colonels 5 / Majors - 5 } 10	5 Field Officers
Captains - - - - 15	Captains - - - - - - - - - 50	35 Captains.
Lieutenants - - 20	Lieuts. 2 pr. Company of 100 men - - - - - - - - 100	80 Lieutenants
Ensigns - - - - 20	Ensigns - - - - - - - - - 50	30 Ensigns.

Total difference—5 Field Officers—35 Captains—80 Lieutenants—30 Ensigns.
Additional charge upon the half-pay list to that of raising 5,000 by the proposed Levy for General Service - - -

No.

No. 6.

Copy of a LETTER from Colonel Clinton to Colonel French; dated 18th April 1804.—(One Inclosure.)

Sir, Horse Guards, 18th April, 1804.

I have it in command, to return you a copy of the proposals you made to raise five thousand men to complete the old regiments of the Line, with the Commander in Chief's remarks thereon in red ink; and to acquaint you in reply to your letter of the 15th instant, that His Royal Highness cannot recommend any other terms being acceded to, than those herewith transmitted.

I am, &c.

(Signed) W. H. CLINTON.

Colonel French,
No. 9, Duke-street, Adelphi.

PROPOSALS to raise Five Thousand Men to complete the old Regiments.

The Non-Commissioned Officers and Drummers to be previously approved of by an Inspecting Field Officer of a Recruiting District. *The Drummers to be of the same age and standard of boys as specified in the Recruiting Instructions.*	To be allowed to appoint 90 Serjeants, 90 Corporals, and 60 Drummers.
Such as are approved at the appointed Depots.	Their subsistence to commence from the dates of their actual appointments as such. The one half of the above to be reckoned as parts of the complement of the first 500, and the remainder as part of the first 1,000.
Thirteen guineas bounty for men. The bounty allowed and sum after mentioned is to cover every expence; consequently no charge as subsistence for rejected men, or any charge for slop-clothing will be allowed, as the recruits on approval will be clothed at the Depot by the regiments to which they are appointed. *No subsistence can be allowed for any recruit, but from the date of approval at the several Depots; but with a view to cover any extra expences that may be incurred by the men having been enlisted a considerable time previous to their being approved, Colonel French will be allowed to enlist ten boys in each hundred recruits, for whom he will receive the same bounty and allowance as for the others.*	To be allowed Levy money at the rate of ten guineas for each recruit passed at the Depots, which are hereafter mentioned, together with their subsistence, from the dates of attestations; but subsistence and slop-clothing only for rejected men. Not to enlist any man above the age, or under the size directed by the recruiting instructions for the Line. The same rule to apply respecting boys. Agreeably to what was allowed to the Levies for general service last war.
As the final approval is to take place at the Depots, no intermediate approval is to be allowed.	It is proposed that for such recruit as may receive an intermediate approval by an Inspecting Field Officer of a district, and afterwards desert, an allowance will be made of three guineas,

N. B. The *Remarks* here printed in *Italics*, were, in the manuscript copy, written in *Red* Ink.

provided

	provided it appears no improper delay has taken place, in sending such recruit forward for final approval.
The Drummers the same.	That the men are to be engaged without limitation as to the period and place of their service; and the Corporals when approved, are to be given to understand that they are liable to be drafted as privates into the old regiments.
The whole of the Non-commissioned Officers must necessarily be enlisted in the first instance as privates, such only receiving the bounty as may afterwards be posted to such regular corps as the Commander in Chief may direct, and which bounty can only be paid when so posted.	Of the Serjeants, the one half are to be allowed their discharge at the completion of the Levy, if they desire it; the remainder, and the Drummers, are to be transferred as such.
Referred to the inclosed Paper.	
The clothing, &c. to be furnished for the effectives by Government.	The actual expence for the clothing and appointments of the Non-commissioned Officers and Drummers to be allowed.
As the recruits on their approval at the Depot will be immediately posted to regiments, no slop-clothing appears requisite.	Each man to be provided with the following slop-clothing: a plain red cloth jacket, so made as to button close to the body, and to have a stand-up collar; a short red waistcoat lined with flannel; a pair of long mixed coloured cloth trowsers; and one plain black hat and cockade.
Answered by the foregoing remark.	That he shall, out of his bounty, be supplied on his final approval with such necessaries as are pointed out in the instructions for recruits of the Line, and he shall be free from debt.
Ditto.	That an allowance is to be made for slop-clothing of one pound seven shillings and sixpence for each recruit specified as above.
On approval the recruit must certify that he has received the whole of the bounty he has been promised.	That the bounty to each recruit is to be the same as is now paid by the Line.
No objection; but it is to be clearly understood that Government reserves to itself the power of discontinuing the Levy in toto, if 4,000 men are not raised and passed at the Depot in nine months from the signing of this Letter of Service, or that the 5,000 have not been raised and passed in thirteen months from the same date.	To be allowed during the Levy the assistance of ten officers, whose names are to be stated to his Royal Highness the Commander in Chief for his approbation, and such of these as may be upon the half-pay during their services, to be allowed full pay. That Government in the first instance shall grant an issue, in order to enable the Levy to proceed without delay.
Not necessary, as they are to be passed	To be allowed during the Levy the usual

to send the Serjeants and Drummers to the Isle of Wight for approval, as they would have to march from distant and different parts of the Empire and return. But it is to be understood, these Serjeants and Drummers are again ultimately to be brought forward and disposed of into regiments of the Line.

No. 9.

LETTER from Colonel French to Colonel Clinton.

Sir, 9, Duke-street, Adelphi, April 21st, 1804.

I have the honor to acknowledge the receipt of your letter of yesterday's date, inclosing the terms, with certain alterations, upon which the Commander in Chief will be pleased to grant a letter of service. I herewith return the same, and, on the part of Capt. Sandon and myself, beg leave to say we accept the same.

I have the honor to be, Sir,
Your most obedient humble servant,
J. FRENCH,
Colonel late 102d Foot.

Colonel Clinton,
&c. &c. &c.

No. 10.

Copy of a LETTER from Colonel Clinton to Mr. Moore.

Sir, 23d April, 1804.

I am commanded by the Commander in Chief to transmit for the purpose of being laid before the Secretary at War, the inclosed copy of proposals made by Colonel French and Captain Sandon, for raising 5,000 men to compleat the regiments of the Line; and from the remarks (in red ink) made thereon by H. R. H. Mr. Bragge will be enabled to judge how far the terms have been acceded to; and I have therefore to request that you will be pleased to move Mr. Bragge to give the necessary directions for expediting a letter of service, to enable Colonel French and Captain Sandon to proceed with their Levy.

I have, &c.
(Signed) W. H. CLINTON.

Francis Moore, Esq.
&c. &c. &c.

No. 11.

LETTER from Mr. Moore to Colonel Clinton.

Sir, War-Office, 26th April, 1804.

I have the Secretary at War's direction to transmit herewith for the consideration of the Commander in Chief, the draught of a letter of service to Col. French and Captain Sandon, framed according to the terms inclosed in your letter of the 23d instant.

You will be pleased to state to his Royal Highness, that Mr. Bragge, adverting to what has taken place in former Levies, is induced most particularly to recommend that it should be a condition of the engagement now under consideration, that the recruits should receive the full bounty required by the general recruiting instructions; or that, at all events, the bounty to be paid to each recruit should not be less than a certain sum fixed by the letter of service.

I have the honor to be, Sir,
Your most obedient humble Servant,
F. MOORE.

Colonel Clinton,
&c. &c. &c.

No.

No. 12.

Copy of a LETTER from Colonel Clinton to Mr. Moore.

Sir, 27th April, 1804.

Having laid before the Commander in Chief your letter of yesterday's date, transmitting a draft of a letter of service to Colonel French and Captain Sandon (herewith returned) and stating the Secretary at War's opinion, "that it should be a condition of the engagement, that the recruits should each receive the full bounty required by the general recruiting instructions, or that the bounty should not be less than a certain sum fixed by the letter of service;" I have it in command to acquaint you for Mr. Bragge's information, that as each recruit, on approval at the Depot, is to sign a certificate that he has received the full bounty promised him, H. R. H. thinks that the consequences, which Mr. Bragge seems to apprehend, from no certain sum being fixed as bounty, are not likely to ensue, and that therefore the article alluded to may remain as already fixed on.

The Commander in Chief however suggests, that a clause should be inserted with a letter of service, requiring that a sum, equal to what may be fixed by the recruiting instructions in force at the time, should be deducted from the levy money allowed, to furnish the recruits with such necessaries as may be requisite on their final approval at the Depots specified.

I have, &c.

Francis Moore, Esq. (Signed) W. H. CLINTON.
&c. &c. &c.

No. 13.

Copy of a LETTER from the Secretary at War to Colonel French, of the late 102d Foot, and Captain Sandon, of the Royal Waggon Train.—(Letter of Service.)

Gentlemen, War-Office, 30th April, 1804.

I have the honor to acquaint you, His Majesty has been pleased to approve of your raising five thousand men, to be turned over to the regiments of the Line in His Majesty's service, upon the following conditions:—The recruits are to be engaged without limitation as to time and place of service. You will be allowed thirteen guineas Levy money for each recruit finally approved at one of the following Depots, viz. the Isle of Wight, Dublin, and Edinburgh; out of which Levy money a sum equal to what may be fixed by the recruiting instructions in force at the time is to be appropriated to furnishing the recruits with necessaries on their final approval, exclusive of the actual sum which may have been received by the recruit. The subsistence of the recruits, the extra allowance to inn-keepers, the allowance for beer, and any other daily charge, will only be allowed to commence from the date of approval of each recruit; but with a view to cover any extra expences that you may incur, by the men being enlisted a considerable time before their approval, you will be allowed to enlist ten boys in every 100 recruits, for whom you will receive the same bounty and allowances as per men. The men and boys respectively are to be of the age and size directed by the general recruiting instructions of the army. No charge for slop-clothing, for the Non-commissioned officers or recruits will be admitted, as, on approval, the latter will be clothed at the Depots by the regiments to which they shall be at once attached. No intermediate approval of the recruits is to take place; and, consequently, neither bounty, subsistence, nor any other charge will be allowed for such as shall be rejected at the several Depots. Each recruit, on approval at the Depot, is to sign a certificate, that he received the full bounty promised to him. You will be allowed to appoint 90 Serjeants, 90 Corporals, and 60 Drummers, who must be previously appointed by an inspecting Field Officer of a recruiting district. The Drummers are to be of the age and standard of boys, as specified in the recruiting instructions. The subsistence of the above-mentioned Non-commissioned Officers and Drummers is to commence from the dates of their actual appointment as such. Half of them, if finally approved at the Depots, are to be reckoned as part of the complement of the

first five hundred recruits for your Levy, and the remainder as part of the first thousand. The Corporals and Drummers are to be given to understand that they are liable to be drafted as privates into the old regiments.

The whole of the Non-commissioned Officers and Drummers must, in the first instance, be enlisted and attested as privates, and these attestations transmitted to this office immediately on approval. One half of the Serjeants may be enlisted with the condition of their being discharged at the conclusion of the Levy, which circumstance is to be noticed in their respective attestations. The bounty of thirteen guineas will be allowed for such of the Non-commissioned Officers and Drummers as shall be finally approved at the Depots, as part of your Levy. Cloathing will be provided under the orders of Government, for the effective Non-commissioned Officers and Drummers employed as above-mentioned. You will be allowed, during the Levy, the assistance of ten Officers, whose names are to be stated to His Royal Highness the Commander in Chief for his approbation; and such of these officers as may be on half-pay, are to receive full pay during their service with your Levy subsequently to such approval. As the men are to be passed at the Depots, it is not thought necessary to make you an allowance for an Adjutant, Paymaster, Surgeon, or Quarter-master, but an officer above the ten will be allowed, to be resident at each Depot during the Levy. In lieu of giving you permission to nominate any officers for commissions, an allowance at the rate of two guineas per man, over and above the before-mentioned sum of thirteen guineas will be made to you whenever 500 men shall be passed at the Depots; and for every 500 men subsequently passed, the like extra allowance of two guineas per man will be made to you. The stipulated allowance of thirteen guineas each, for the approved recruits, will be issued immediately on their approval, by the Paymasters residing at the respective Depots, by draughts upon the agents of the corps to which the men and boys may be attached, and the recruits will be afterwards subsisted through the same channel, or by the district paymasters, until they join regiments. The pay of the Commissioned Officers, Non-commissioned Officers, and Drummers, employed in the Levy, is to be received from the Paymasters of the recruiting district in which they shall be respectively stationed, who will draw for the same upon the general agents for recruiting in London and Dublin respectively, rendering distinct pay lists of their expenditures on this head to this office. If, however, any of the Commissioned Officers should be on full pay in the existing regiments, the distinct Paymasters will draw for the pay of such officers on their respective regimental agents, in the same manner as for that of other officers employed in the recruiting service. In consequence of this arrangement, it is presumed that your advances, on account of the Levy, will be so inconsiderable as scarcely to require any imprest of money into your hands, in the first instance, but if you should find some assistance absolutely necessary, there will be no objection to your receiving a moderate sum on account, giving security for the immediate repayment thereof when desired. It is to be clearly understood, that Government reserves to itielf the discretion of discontinuing the Levy entirely, in case 4,000 men are not raised and passed within nine months from the date of this letter, or in case the whole 5,000 men are not raised and passed within thirteen months from the same date. In the execution of this service I am to assure you of every assistance that this office can afford.

I have, &c.

(Signed) C. BRAGGE.

Col. French of the late 102d Foot, and
Capt. Saudon, of the Royal Waggon Train.

No. 14.

Copy of a LETTER from Colonel Clinton to F. Moore, Esq.—(With Two Enclosures.)

Sir, Horse Guards, 31st May, 1804.

I am directed by the Commander in Chief to refer to you herewith a note from Colonel French, relative to the pay of the Non-commissioned Officers and Drummers of his new Levy; and His Royal Highness thinking, from the cir-

cumstances stated, that there appears no objection to what is requested by the Colonel in regard to the subsistence of his Non-commissioned Officers and Drummers, provided that any back pay that may be issued for them be actually received by them, and for which their acknowledgments will be of course required, desires that you will be pleased to lay the same before the Secretary at War, with his recommendation that Colonel French's request may be complied with. I have, &c. (Signed) W. H. CLINTON.

Francis Moore, Esq.
&c. &c. &c.

Sir, Horse Guards, 25th June, 1804.

I am commanded, by the Commander in Chief, to acquaint you, for the information of the Secretary at War, that in consequence of the Levy money for recruits for general service being raised to nineteen guineas, Colonel French and Captain Sandon are to receive the augmented Levy money for each approved recruit raised by them. I have, &c.

F. Moore, Esq. (Signed) W. H. CLINTON.

Copy of a LETTER from the Deputy Secretary at War to Colonel French and Captain Sandon, dated 28th June, 1804.

Sir, War-Office, 28th June, 1804.

The rate of Levy money for the infantry of the Line having been augmented to nineteen guineas, by the general orders from the head-quarters, dated 16th instant, I am directed to acquaint you, that the like sum will be allowed for each of your recruits raised subsequently to the receipt hereof, instead of thirteen guineas, as specified in your letter of service.

I am, &c.

Col. French. (Signed) F. MOORE.
Capt. Sandon.

No. 15.

London, Cecil-Street Coffee-house, Strand,

Sir, January 15th, 1805.

Your Royal Highness I hope will have the goodness to excuse this intrusion, as my intention was to have done myself the honour of personally presenting the enclosed letter to your Royal Highness this day, but on account of your Royal Highness's not holding a levee, I presume to take the liberty of transmitting it in this manner. The particular situation in which I obviously stand with Brigadier General Taylor, who inspects my recruits in Ireland, and a delicacy not to be troublesome to your Royal Highness, has hitherto held me silent on the subject of Brigadier General Taylor's most unaccountable and persevering hostility to my Levy. It is with concern I must declare that he has, with diligence, taken every step to render abortive my unremitted exertions to carry into effect the intentions of your Royal Highness in honouring me with the letter of service. At length I feel myself called upon, by duty, and in justice to myself, to state the circumstance. The present Inspector General having lately had the goodness to give instructions to Brigadier General Taylor, relative to some arrangements of my Non-commissioned Officers, I communicated the same to Quarter-master Fawcett, of the Levy recruiting in Dublin (for his guidance) who waited upon Brigadier General Taylor on the occasion. The reception he met with is stated in his letter; and it is with deep regret I must add, that this proceeding, on the part of the Deputy Inspector General in Ireland, is but a continuation of what my Levy has experienced from him since its commencement there.

I have the honour to be, Sir,
Your Royal Highness's
respectful and dutiful servant,
J. FRENCH,
Colonel.

His Royal Highness the Commander in Chief,
&c. &c. &c.

(Private)

Sir, Dublin, 8th January, 1805.

The esteem I have for you, and zeal for His Majesty's service, I am sorry to say leaves it out of my power to forward your Levy as I could wish, from the treatment I have received from Brigadier General Taylor. Your letter dated the 3d instant, I received the 6th, afternoon; and the next morning waited on Lieut. Morton with it; he desired me to take it to General Taylor. The General looked at it, read part, threw it on the table; said he knew nothing about it, or words to that effect. After a short pause, he raised his voice, and said he had received a letter, laying his hand upon it, it being open before him. He then began about the Serjeants; then the money—the Serjeants and the money—so that I was heartily tired of his sermon. After some time he concluded with saying, "You are no Levy;" how came you by that name of Levy? nor did he, in part of his oration, forget the word *Crimp*. It would take a quire of paper to give you a full detail. Adjutant Foffe was the only person present. Like on former occasions it may be denied; but I give you my honour that what I have stated are facts. I wish you to come here as soon as possible: he is doing every thing in his power to throw us on our backs:—I am so hurt I have not spirits to carry on your business:—I am sorry to distress your mind; but 'tis impossible for me to stand it.

I am, Sir,

Your obedient servant,

OWEN FAWCETT.

Colonel French,
&c. &c. &c.

No. 16.

Copy of Colonel Gordon's LETTER to Mr. Kirkman, 19th Jan. 1805, sending Copies of Col. French's letter (No. 10.)

Sir, Horse Guards, 19th January, 1805.

I have the commands of the Commander in Chief to transmit to you, for the information of Lord Cathcart, a copy of a letter and its enclosures, from Colonel French, in which that officer complains that the Deputy Inspector General for the recruiting service in Ireland has taken every step to render abortive his unremitted exertions to carry into effect the intentions of the Commander in Chief, in honouring him with a letter of service, and I am commanded to desire, that the Deputy Inspector General may be called upon to explain the circumstances to which Colonel French alludes, as although His Royal Highness is sensible of the duties incumbent on the Deputy Inspector General, to preserve a vigilant controul over the various branches of his department, and to check and report upon every irregularity that may take place in the conduct of officers and persons engaged in the recruiting service in Ireland, yet his Royal Highness thinks it equally just that every fair indulgence should be given to every officer to enable him to act with facility according to the terms in which he is bound by his instructions; and I am further to desire you may be pleased to move his Lordship to examine the letter of service under which Colonel French acts, and to give such directions thereupon as may tend to put a stop to further representation.

I have, &c.

(Signed) J. W. GORDON.

P. S. Colonel French has been directed to repair forthwith to Ireland, and report his arrival to the Commander of the Forces.

J. Kirkman, Esq.
&c. &c. &c.

No. 17.

C. B. (Ten Enclosures)

Acknowledge

Sir, Royal Hospital, 8th Feb. 1805.

Having, in obedience to the Commander in Chief's commands, conveyed in your letter of the 19th January, by direction of Lieutenant General Lord Cathcart,

cart, called upon B. General Taylor for an explanation of the circumstances alluded to in the allegations set forth by Colonel French's representation therein inclosed; in answer, I am now directed by his Lordship to acquaint you, for the information of His Royal Highness, that he has called for the letter of service, by virtue of which Col. French and Captain Saudon carry on this Levy, and that his Lordship desired B. General Taylor to report upon the steps he has taken, in conformity to the instructions he has received from time to time from the Inspector General, concerning the Levy in question, and also to furnish him with answers to the points which His Royal Highness is pleased to notice for enquiry.

The Brigadier General has in consequence delivered to Lt. General Lord Cathcart, the report and explanatory papers herewith enclosed, which it is requested may be submitted to His Royal Highness.

Col. French has not reported his arrival, nor is it known he ever has called upon the Commander of the Forces in Ireland; but undoubtedly he will have every facility and support afforded him, which the recruiting instructions and circumstances of the service can warrant.

Lt. General Lord Cathcart desires me to say, that it appears to him that the matters of complaint charged against B. General Taylor by Colonel French, may be reduced to four heads:

1st. The having objected to sending a Serjeant of the Levy, supposed to have been raised for the proportion intended for Ireland, out of this part of His Majesty's dominions.

2d. For having refused to approve of more than 45 Serjeants being raised in Ireland without some proportion of privates, until more explanatory instructions should be obtained from the Inspector General to authorize that measure, and until the Serjeants raised in this country are brought forward for final approval.

3d. For having taken a beating order from a person named O'Reilly, although giving beating orders to persons similarly situated had been allowed in the case of other Levies.

4th. For having admonished Quarter-master Owen Fawcett, in regard to the conduct of the Levy, in a manner the Quarter-master did not approve; and for having, in the course of what he had occasion to say to this person, made use of the word "Crimp."

In regard to the two first of these heads, the B. General appears to have acted as it seemed to him, the instructions he received from the Inspector General in regard to issuing Serjeants' clothing, explained the intention to be, but that he had submitted his doubts and observations to the Inspector General, whose decision had not arrived.

With regard to the third case, that of O'Reilly, there is an explanatory paper No. 9, by which it appears, that the Inspector General could not recognize this person as a proper officer to hold a beating order without further explanation.

And in regard to the fourth case, the conversation with Quarter-master Fawcett, there is in the Brigadier General's report, a statement of what actually passed, and which as it happens had not escaped the Dy. Inspector General's recollection. Lt. General Lord Cathcart feels himself called upon, not to conclude his report without observing generally, that Brigadier General Taylor has uniformly appeared to his Lordship, to be remarkable for his diligence and assiduity in carrying on all the important duties entrusted to him; that his Lordship has on all occasions perceived in his conduct the greatest zeal for the increase of His Majesty's disposable force by serviceable recruits; but his Lordship never remarked in his proceedings, or heard that officer accused of any manner of partiality.

I have the honour to be, Sir,
Your most obedient humble Servant,
J. KIRKMAN.

(ENCLOSURE 1.)

Sir, Dublin, 25th Jan. 1805.

I have the honour of your letter of the 24th inst, enclosing the copy of one from Lt. Col. Gordon, together with another from Col. French to His Royal

Royal Highness the Commander in Chief, and of one from Qr. Mastr. Fawcett to Col. French; also directing me to transmit, for the information of the Commander of the Forces, a copy of the Colonel's letter of service and of the instructions under which he has undertaken his Levy, and for me to report upon the subject of Colonel French's letter to His Royal Highness, as likewise upon Quarter-mastr. Fawcett's to the Colonel.

In obedience to these directions, herewith I enclose a copy of Col. French's letter of service, as also of such papers from No. 1 to 8 as I have received, that appertain to his and my own instructions; but previous to my statement concerning the two letters in question, I beg leave to mention, that in May last I first received intimation that Colonel French had undertaken to raise 5,000 men in a given period; and to enable him to effect it, he was to have the assistance of a certain number of persons as officers, with 90 Serjts. 90 Corpls. and 60 Drumrs. one half of whom being intended for Ireland p No. 8, I was directed to provide clothing for. That under certain conditions specified in the letter of service, and in the instructions, the Colonel was to have a Levy money of 21 guins. per man. One half of the Serjeants were to be fit for service agreeably to the recruiting regulations, to be attested as privates, but to be transferred as Serjeants at the termination of the Levy. The other half were to be capable of the recruiting service, and to be discharged on the termination of the Colonel's Levy. The Corporals and Drummers were also to be according to the recruiting regulations of their respective ranks, to be attested as privates, and transferred as privates, on the close of the Levy, to such corps as His Royal Highness might be pleased to direct. The bounty money payable to the whole of these persons, as well as to the privates is not specified, but may be on whatever terms the Colonel can make his agreement; and in order to prevent any future disagreement, in consequence of there not being a specified bounty to the recruit, I am directed to have a certificate of the agreement with Colonel French, of such men as I finally approve of, which certificate I annex to the attestations, and is in form, No. 4.

Towards the end of July last, I was given to understand that one Serjeant who had been finally approved of had been sent out of the country. This being signified to Colonel French, he said he could send them to where he pleased, and on my replying that I should consider this man as one of the proportion of Serjeants allotted to Ireland (having drawn the Levy money for him) he concluded with observing, he should appoint as many as he chose for Ireland. This conception of the instructions differing very materially from mine, I deemed it requisite to send a state of the Levy to the Inspector General, and to enquire to what extent I was to pass or approve of Serjeants for Colonel French's Levy. As to Corporals and Drummers they never came into question, for to this moment he has not raised the proportion I supposed to be intended for Ireland, viz. 45 Corporals and 30 Drummers.

In answer to this query, I received the following, being an extract of a letter from Lt. Col. Carey, dated 26th July, 1804. "He (alluding to the Inspr. "General) has thought it advisable to refer your query to the Commander in "Chief's consideration, and at the same time to lay before His Royal High-"ness a statement of the expences of the Levy, with a comparison of the bene-"fit derived to the public from the contract; from which it appears the public "has paid for some time past, more than 10*l.* per day for the subsistence of "parties, exclusive of marching money and bounties, for only six recruits who "had been approved of at the time the calculation was made. Under such "circumstances you will of course not act in conformity to Colonel French's "desire until further orders."

This information was given to Col. French early in August; at the same time, I said that as he then wanted but few Serjeants to complete what I conceived to be his establishment for Ireland, and several of those he had were at that time only intermediately approved of, he had better bring them forward for final approval, and use some greater exertion to get them, and have this part of the business over, particularly with the Serjeants for permanent service, because he had more limited service Serjeants than the others; but that he must not expect I should exceed this number without further orders.

Thus

Thus the Levy continued with bringing few forward until the middle of October last, when Col. French left Ireland, and when I thought I had passed the 45 Serjeants. I signified to Quartr. Mastr. Fawcet in the November following, I could not pass any more without fresh instructions, and again urged the completion of the other part of the establishment, and to make some exertion to raise privates. The Levy continued in this state until the beginning of this month, when I received the copy of a letter from Col. French to the Inspr. General, accompanied with a memoranda from Lt. Col. Gordon, stating, that by Col. French's letter of service " he was entitled to 90 Serjts. 90 Corps. and 60 Drumrs. he should of course be allowed to appoint them."

No. 7. The day after I received these instructions Quartr. Mastr. Fawcett called, and shewed me Col. French's letter (the answer to this letter appears to be the one I have with your's of the 24th) which letter stated the purport of his intended regulations, being 63 Serjeants for Ireland, and at the rate of 9 to each officer. Thus far Quartr. Mastr. Faucet's statement of my inattentionto the letter is incorrect, for if my recollection serves me it is nearly the words of it. I then mentioned to him I was ready to inspect such persons as were brought forward; and I was not surprised at the exertion to be allowed to complete the full establishment of Serjeants, because they were got for a guinea or two bounty, but there did not appear to be the same attention to get Corporals and Drummers, although in few instances did the bounty to them exceed six or eight guineas, and as to privates they scarcely appeared to be intended as part of the Levy. After this I added, I should have supposed, if the intention actually was to raise privates, some greater exertion ought to have been made, if it was no more than to shew a disposition to make good the engagement, and to fulfil His Royal Highness's expectation of so considerable a Levy, so as to induce him to continue it. But situated as I was, I felt it incumbent on me to say, that the whole tenor of the proceedings of the Levy since I saw it, went to procure persons to whom scarcely any bounty was issued, and where a bounty became necessary no steps were taken to produce them. As to the appointment of Serjeants, I had offers daily for these situations, without any expectation of bounty, and no charge of bounty had been incurred by the nomination of any of those attached to the recruiting department, although they were all for general service. That at that moment there was an application on the table, for whom I had not an immediate vacancy; the Quartr. Mastr. on this had the modesty to desire he might be transferred to him; to which I sharply said,—What Sir, do you think I am to act as crimp for you; you call yourselves a corps, but in fact you are a Levy without men; and the few you have got stand Government in 15*l* per man. We then parted, on my again reminding him to bring forward as soon as he could the remaining Non-commissioned Officers Col. French intended for Ireland, for the not doing so there was hardly any excuse, particularly as he was aware, that the age and standard for this Levy were more favourable than to the Line being at 35 years of age, and 5 feet 4 inches in height, whereas for the Line and general service (except for the four young regiments) it was at 30 years of age, and at 5 feet 5 inches in height.

This statement is in fact the purport of my conversation with Quartr. Mastr. Faucett, and is the subject of his private letter to Col. French, it passed at my Office and in presence of the Adjutant, and I think fully accounts for what he is pleased to call my Sermon upon the Serjeants and the Money, and it by no means denotes any hostility to his Levy, but rather shews an anxious desire to produce men to the service.

In regard to the representation made by Col. French to His Royal Highness, of my most unaccountable and presevering hostility to his Levy, and that I take every diligent step to render abortive his unremitted exertions to carry into effect the intentions of His Royal Highness in granting him a letter of service, I can safely say, that no act of mine has shewed a disposition to thwart his recruiting, but the contrary, and if I was to have acted in strictness to my instructions, several of the few men I have passed should have been dismissed, merely on account of Col. French's officers holding out engagements to them as Corporals and Drummers, for the future disposal, that could not be made good; and for asserting in their attestations a less bounty than they agreed for, which (on account

of

of their not being able to read) they knew nothing of until they came before me. I do most solemnly declare, the day of inspecting Col. French's men, whenever it has hitherto happened, has been more a day for settling disputes between them and the Non-commissioned Officers, than for passing of recruits. At several the Colonel has been present, when it appeared that the agreements for inlisting were for a greater bounty than inserted in the attestation, and the engagements were to be transferred as Corporals and Drummers instead of as privates, consequently the inducement to inlist for a less bounty is obvious.

In repeated instances, from a wish to get men, I have prevailed upon them to agree to a transfer as privates, and at the same time signified to Col. French he should instruct his officers to prevent these continued disputes, some of which of a similar nature, since his absence, have been greater than before.

In respect to the bounty paid to men raised in the country, the Colonel's officers are not satisfied with inducing them to inlist at an under-rate of bounty, but in their payment of it they keep a running account, and when they settle, the men have been charged with the pay given to them from their inlistment, as part of the bounty. Colonel French is no stranger to this, and I believe in more than one instance, he has refused the pay to the recruit, and said he would recover it from his officer.

From these circumstances I feel it necessary to see the men and the public done justice to, which I am convinced is the sole cause of the representation of my persevering hostility to the Levy. The certificate of the sums agreed to, and wrote on the back of several attestations, differing with what is originally inserted in the front of them, will corroborate what I assert.

I now beg to mention as matter of information, that since Colonel French's Levy commenced in Ireland, in July last, there has been 48 Serjeants approved of to the 19th inst. of whom 2 have deserted, 1 drowned, 1 promoted to be an officer, 1 reduced by sentence of a Court Martial, and sent to the Isle of Wight as private; 2 more reduced by sentance of a Court Martial, and being for limited service, are supposed to have been dismissed, not being returned as privates, leaving 41 forthcoming for transferrable and limited service, but including the one sent from Ireland; besides 25 Corporals, of whom 1 have deserted, and 15 Drummers. These are the whole that the Levy have produced of every description except 27 privates and 2 boys, of whom 8 have deserted or have been taken up as deserters from other corps. Now as from the strength of the present number of persons to recruit (no less than 80 exclusive of officers) but----recruits are forthcoming, and not one returned since the 27th ult. it is scarcely possible to expect much advantage, particularly as from the tenor of the contract there is no obligation to make it good.

Should the whole of Col. French's Non-commissioned Officers be nominated, and his engagements with them be effected on the same terms as hitherto, the advantage can be easily ascertained, when the Papers before me shew, that the average bounty to each Serjeant is under 2 guineas, to each Corporal 7 guineas, and each Drummer 6 guineas; consequently when the harvest is reaped by the appointment of the Non-commissioned Officers, there can be little reason to suppose from what has been done, that the proper exertions to obtain privates will afterwards be used.

I cannot close this statement in reply to Col. French's representation, without observing, that no bounty is advanced to such recruits as are raised in Dublin, until they are finally passed; and unless accidentally seen when under surgical examination, they are not noticed by any of the recruiting staff; and it has happened repeatedly, that Qr. Mastr. Fawcet has stated (as soon as the men are passed and completely off the risk of Col. French's people) he was certain that particular men would desert, and with a sneer recommended me to keep a watch upon them; several of his pointing out have deserted, and others have been taken up the very same evening or next day, when our people had time to examine. In one instance, I have strong reason to believe (though without proof) that he knew the fellow to be a deserter when he was brought forward.

The reports of irregular proceedings in the country are numerous, of one in particular. I inclose the Magistrate's representation. The lad was brought to Dublin as stated by the Magistrate in No. 5, and was surgically rejected,

and

and dismissed before I received the letter, consequently I was not enabled to make the proper inquiry. In short the complaints are frequent, and I can aver, that notwithstanding the multiplicity of recruiting which has been going on in Ireland since June last (to the extent of more than 5,000 men that have been raised) and some of it with the strongest inducement to raise men by every means possible, yet I have had fewer personal differences to settle between officers and their recruits, than I have had with Col. French's Levy.

However feasible Col. French may have imagined it might be to raise 5,000 men, when he gave in his proposals to His Royal Highness, he nows sees the impracticability of it, therefore must attach a cause for its failure somewhere. If, however, there is a cause for its not succeeding in Ireland, he should affix it to the avarice of his own people; for the bounty to the recruits is but 11½ guineas on the average to each; how therefore is it possible for them to get men, even with every knowledge of the art of recruiting, when every officer around them are giving 16 guineas, and to which is added the inducement of promotion and personal influence; notwithstanding which many of these gentlemen have failed.

I trust you will excuse the unreasonable length of this letter, but the very strong and unwarrantable representation of Col. French against my conduct renders it requisit to make this statement in vindication of it, which I beg Lord Cathcart will have the goodness to represent to the Commander in Chief. At the same time I can declare, that since the first moment His Royal Highness was graciously pleased to appoint me Dy. Inspr. Genr. for Ireland, every thought and act has been zealously exerted to fulfil the trust reposed in me, and to promote the service, which I believe not only the late Inspr. General will testify, as will I trust the present one, from his knowledge of my proceedings since his appointment.

I have the honour to remain, Sir,
Your most obedient and faithful humble Servant,
JAMES TAYLOR,
Br. Genl. D. I. G.

Lieutenant Colonel Kirkman,
&c. &c. &c.

(Enclosure 2 —No. 1, with Two Enclosures.)

(Copy.)

Sir, Army Depot, 11th May 1804.

I HAVE received the Inspector General's directions to transmit, for your information and guidance, the enclosed copy of a letter from Francis Moore, Esq. with the copy of a letter of service granted to Lieut. Colonel French of the late 102d Foot, and Captain Sandon of the Royal Waggon Train, authorizing them to raise 5,000 general service recruits, in any part of the United Kingdom, to be finally passed at the following Depots: at Dublin, under your orders; at Edinburgh, under the orders of Colonel Scott, Deputy Inspector General for North Britain; and at the Isle of Wight, under the Inspector General. Lieut. General Hewitt desires me at the same time to request you will be particularly cautious in regard to deserters, and not pass any man whom you may have reason to suspect as such.

The lads and boys are to be invariably sent to this Depot in such numbers and by such means as you may judge most advisable, and in forwarding them hither you will use every precaution to prevent their passing for the ordinary general service recruits. You will forward separate weekly returns of this corps, which will regulate the Inspector General in his directions for the disposal of the *men* which may be approved of by you.

I have the honour, &c. &c. &c.
(Signed) JNO. JAS. BARLOW.
Lt. Col. D. I. G.

Colonel Taylor,
&c. &c. &c.
Dublin.

(Copy.)

(Copy.)

Sir, War-Office, 4th May, 1804.

I have the Secretary at War's directions to enclose herewith, for your information, a copy of a letter of service, authorizing Lieutenant Colonel French and Capt. Saudon to raise 5,000 men for His Majesty's service.

You will be pleased to cause clothing for the effective Non-commissioned Officers and Drummers employed in carrying on this Levy, to be supplied from the stores of the Army of Reserve.

I have the honour to be, &c. &c. &c.

Lieut. General Hewitt, (Signed) F. Moore.
&c. &c. &c.

(Copy.)

Gentlemen, War-Office, April 30th, 1804.

I have the honour to acquaint you, His Majesty has been pleased to approve of your raising five thousand men, to be turned over to the regiments of the Line in His Majesty's service, upon the following conditions:

The recruits are to be engaged without limitation as to the time and place of service.

You will allow thirteen guineas Levy money for each recruit finally approved at one of the following Depots, (viz.) The Isle of Wight, Dublin, and Edinburgh, out of which Levy money, a sum equal to what may be fixed by the recruiting instructions in force at the time, is to be appropriated to furnish the recruits with necessaries on their final approval, exclusive of the actual sum which may have been received by the recruit.

The subsistence of the recruits, the extra allowance to inn-keepers, the allowance for beer, and any other daily charge, will only be allowed to commence from the date of approval of each recruit, but with a view to cover any extra expence that you may incur by the men being enlisted a considerable time before their approval, you will be allowed to enlist ten boys in every hundred recruits, for whom you will receive the same bounty and allowance as for men.

The men and boys respectively are to be of the age and size directed by the general recruiting instructions of the army.

No charge for slop-clothing for the Non-commissioned Officers or recruits will be admitted; as, on approval, the latter will be clothed at the Depots, by the regiments to which they shall be at once attached.

No intermediate approval of recruits is to take place, and consequently, neither bounty, subsistence, nor any other charge will be allowed for such as shall be rejected at the several Depots.

Each recruit on approval at the Depot is to sign a certificate, that he received the full bounty promised to him.

You will be allowed to appoint 90 Serjeants, 90 Corporals and 60 Drummers, who must be previously approved by an Inspecting Field Officer of a recruiting district.

The Drummers are to be of the age and standard of boys as specified in the recruiting instructions.

The subsistence of the above mentioned Non-commissioned Officers and Drummers is to commence from the dates of their actual appointment as such.

Half of them, if finally approved at the Depots, are to be reckoned as part of the complement of the first five hundred recruits for your Levy, and the remainder as part of the first thousand.

The Corporals and Drummers are to be given to understand, that they are liable to be drafted as privates into the old regiments.

The whole of the Non-commissioned Officers and Drummers must, in the first instance, be inlisted and attested as privates, and their attestations transmitted to this office immediately on approval.

One half of the Serjeants may be enlisted with the condition of their being discharged at the conclusion of the Levy; which circumstance is to be noticed in their respective attestations.

The bounty of thirteen guineas will be allowed for such of the Non-commissioned Officers and Drummers, as shall be finally approved at the Depots as part of your Levy.

Clothing will be provided under the orders of Government for the effective Non-commissioned Officers and Drummers employed as above-mentioned.

You will be allowed during the Levy, the assistence of ten officers, whose names are to be stated to His Royal Highness the Commander in Chief for his approbation, and such of these officers as may be on half-pay, are to receive full-pay during their service with your Levy, subsequently to such approval.

As the men are passed at the Depots, it is not thought necessary to make an allowance for an Adjutant, Paymaster, Surgeon, or Quarter-master, but an officer, above the ten, will be allowed to reside at each Depot during the Levy.

In lieu of giving you permission to nominate any officers for commissions, an allowance at the rate of two guineas per man, over and above the before-mentioned sum of thirteen guineas, will be made to you whenever 500 men shall be passed at the Depot, and for every 500 men subsequently passed, the like extra allowance of two guineas per man will be made to you.

The stipulated allowance of thirteen guineas each for the approved recruits, will be issued immediately on their approval, by the Paymasters residing at the respective Depots, by drafts upon the agents of the corps to which the men and boys may be attached; and the recruits will be afterwards subsisted through the same channel, or by the district Paymasters, until they join regiments.

The pay of the Commissioned Officers, Non-commissioned Officers, and Drummers, employed in the Levy, is to be received from the Paymasters of the recruiting districts in which they shall be respectively stationed, who will draw for the same upon the general agents for recruiting in London and Dublin respectively, rendering distinct pay-lists of their expenditures on this head to this office.

If, however, any of the Commissioned Officers should be on full pay in the existing regiments, the district Paymasters will draw for the pay of such officers on their respective regimental agents, in the manner as for that of other officers employed on the recruiting service. In consequence of this arrangement, it is presumed that your advances on account of the Levy will be so inconsiderable, as scarcely to require any imprest of money into your hands, in the first instance; but if you should find some assistance absolutely necessary, there will be no objection to your receiving a moderate sum on account, giving security for the immediate repayment thereof when desired.

It is to be clearly understood, that Government reserves to itself the discretion of discontinuing the Levy entirely, in case 4,000 men are not raised and passed within nine months from the date of this letter, or in case the whole 5,000 men are not raised and passed within thirteen months from the same date.

In execution of this service, I am to assure you of every assistance that this office can afford.

I have, &c.

Colonel French, of the late 102d Foot, Captain Sandon of the Royal Waggon Train.

(Signed) C. Bragge.

(Enlosure 3.---No. 2. with Three Enclosures.)

(Copy.)

Sir, Army Depot, 19th May 1804.

In addition to my letter of the 11th instant, I am directed by the Inspector General to forward, for your information and guidance, copy of a letter which has been written to Colonel French, relative to the carrying on the recruiting duty of his Levy, and to desire you will be pleased to act in conformity to the direction therein given. I also enclose you a statement given in by Colonel French to His Royal Highness the Commander in Chief, together with a copy of a letter from the Inspector General to Colonel Clinton, giving his opinion on the subject, which you will pay every attention to on your inspection of the recruits enlisted for this Levy.

(Signed) Jno. Jas. Barlow, Lt. Col. D. I. G.

Col. Taylor,
Dy. Inspr. Genl.
&c. &c. &c.

(Copy.)

(Copy.)

Sir, Inspector General's Office. 13th May 1804.

I have the honour to submit your letter of the 12th instant to the Inspector General, and have received his directions to say in answer, that for each of the recruits approved at the Edinburgh and Isle of Wight Depots, there will be no objection for the Paymasters there to give your agent in London drafts for the amount of their Levy on the general agent, Mr. Ridge; but in regard to Ireland the same mode of payment cannot be adopted, as it involves the subject of exchange, by the same means however may any agent of yours in that part of the United Kingdom be paid by drafts on the general agent in Dublin; with respect to the Drummers, the Inspector General cannot sanction your proposed deviation from the recruiting instructions, although you may look to boys for that employment, the service will want them eventually for soldiers, and with that view must their approval take place. It will be necessary for you to transmit to the Inspector General, to your commencing the recruiting service, a list of such persons as you think proper to employ as Commanding Officers of your several parties, as well as the Non-commissioned Officers to each, and name of the place to which you propose sending them, that proper notice may be given to the Inspecting Field Officer of each district; and although with respect to subsistence, periods for marching recruits to the Depots, an intermediate approval, your letter of service is an exception to the general recruiting regulations, yet in all other respects your parties are to conform strictly thereto; and whenever you may judge it expedient to change the situation of your parties, the Inspecting Field Officer of the district from whence they remove, as well as that to which they may belong, is to be made acquainted therewith previous to such removal; I therefore enclose for your information, a list of the Deputy Inspector Generals, and several Inspecting Field Officers, the limits of their districts, and the Head Quarters at which they respectively reside. I need not point out to you the necessity of the most scrupulous attention to the several rules laid down in His Royal Highness the Commander in Chief's Regulations, and how necessary it will be for you to insist on the most punctual attention on the part of the several officers acting under your orders, to the fair and full adjustment of all accounts between their parties and recruits; that His Majesty's orders, particularly respecting the money to be advanced at the time of enlistment, be most scrupulously attended to; the recruit may be made fully acquainted with the nature of his engagement, that the attestation may be signed not only by the magistrate and the recruit, but by the officer who may command the party, and all in the presence of each other; that the attestation may be regularly transmitted with the recruit to the Depot he goes to for inspection, and that it be free from erasures of every kind, and the sum paid, with the day of the month and year be expressed in words and not in figures; any neglect on these points will be considered as invalidating the engagement, and the man will be discharged without admitting any expence to the public. I have only to add, that although the Inspecting Field Officers have nothing to do with the approval of your recruits, it is a point of the greatest importance, and which must be rigidly adopted, that no recruit enlisted at the *Head Quarters* of a recruiting district, shall march away without having been seen by the Inspecting Field Officer there stationed, and most particularly in the metropolis, where frauds are more easily practised than any where else. Lieutenant Colonel Robinson will inform you of the most convenient time for presenting your recruits to him accordingly.

I have the honour to be, &c. &c. &c.

(Signed) P. Carey.
A. I.

Colonel French,
late 102d Foot.

(Copy)

Colonel French presumes to state to His Royal Highness the Commander in Chief, that he has received from the War-Office his letter of service in favor of Captain Sandon and himself, but under such circumstances of discouragement, and so very different from those accepted by him which he had the honour to receive by order of His Royal Highness from Colonel Clinton, that he feels himself

himself urged to make this appeal to His Royal Highness. From the weight of the undertaking, and the exertions required in obtaining recruits under the present circumstances, Colonel French rests satisfied His Royal Highness's goodness will afford him every aid consistent with justice to the public; his only request indeed now is, that the letter of service may remain as was understood by Colonel Clinton's proposals; one principal result arising from the newly introduced arrangements into the letter of service, will be that of placing Colonel French in a capacity apparently more civil than military, by which that species of influence and consequence is taken from him which is ever necessary to command obedience and stimulate exertion; besides Colonel French trusts His Royal Highness will pardon him in expressing, that he cannot but feel hurt at being placed in a situation of such little confidence, as the letter of service in its present state assigns him. By this new arrangement, in the first place, the Non-commisioned Officers and Drummers are in a manner taken out of his hands, and subsisted by the Paymasters of the recruiting districts, in which they shall respectively be stationed; His Royal Highness must be well aware that the Non-commissioned Officers and Drummers are to be looked for in various places and in distant parts, that they must frequently (according to circumsances) be marching in different directions and often changed, particularly the Corporals to go as privates. In short, the various inconveniences of this plan, Colonel French feels fully sensible cannot but tend most seriously to cripple and embarrass the operations of the Levy. In the second place, the allowance of thirteen guineas for each approved recruit is to be paid, on the approval, by the Paymaster residing in the district. Colonel French always conceived himself (and he hopes he will in this meet the ideas of His Royal Highness) invested with discretionary powers, in order to attain the end in view; for instance, to those who recruit in the neighbourhood of the Depots, the risk being less, the Levy will be so in proportion to those at a distance, more than the Levy will be allowed. In short, the plan of Colonel French is, that this fund should be distributed according to the calculated risks, distances, and other various operating causes of the different recruiting parties. By this means all will have an equal interest in carrying the Levy into effect, and the same spirit will be exerted at the greatest distance as near the Depots. Colonel French, conceiving himself indebted to His Royal Highness for the preference given him on this occasion, cannot but be highly interested in carrying the undertaking through in a manner to give satisfaction to His Royal Highness; the accommodation and convenience of an agent to officers engaged in so extensive a plan, must be obvious. If what Colonel French here has the honour to submit to His Royal Highness appears equally œconomical to the public purse, though more simple; and equally safe in every point of view, he trusts (as it will be so much for the benefit of the Levy) His Royal Highness will favourably consider it; the expence to Government is the same, the mode is only submitted to be changed.

By the terms held out by Colonel Clinton, and accepted, it was understood that an issue would be granted by Government to the agent of the corps, and that the bounty to the recruits and subsistence to the Non-commissioned Officers and Drummers, would be entrusted to the chiefs of the Levy. It is submitted, that the risk, on the score of the issue of money, cannot be great, when the accounts are to be settled at the completion of each 500 men. Besides the commissions of Colonel French and Captain Sandon are responsible, as also the two extra guineas, which are not to be credited until the final passing of each 500 men.

It is therefore submitted that an issue of money should be granted, in the first instance, to enable the Levy to proceed.

That at the final passing of each 500 men, a full settlement with the public is to take place, and the extra two guineas are to be reserved until such final settlement has taken place, and further security to be given if thought necessary.

The attestations of the Serjeants and Drummers, upon final approval, are to be transmitted to the War-Office, and that the Non-commissioned Officers and Drummers are to be subsisted by the chiefs of the Levy.

That the chiefs of the Levy, as being responsible for the payment of the bounties

bounties promised each recruit, are to be allowed to charge the Levy-money, being thirteen guineas, in their periodical settlements, but are only to be allowed for such as are certified and approved by the Inspectors of the respective Depots, which certificates are to be produced as vouchers to their charges.

Signed J. FRENCH,
Col. late 102d foot.
And on the part of Captain Sandon.

(Copy) Inspector General's Office,
9th May, 1804.

If my construction of the letter of service granted to Colonel French be correct, he misconceives materially the intentions of the Secretary at War, and has no grounds for complaining of embarrassments or for demanding any pecuniary assistance. The 13 guineas allowed for each of his recruits are, I conceive, to be paid to his accredited agents at the different Depots, *immediately* upon the recruit's approval. The distribution of that sum rests solely with Colonel French, the Inspector General having only to be satisfied that the recruit receives what he engages for, of course by this mode of settlement the principals in the Levy can be very little in advance, and that only for the recruits *first* raised, as the difference between the thirteen guineas and the bounty paid will go in aid of further recruiting, and of all the branches of the establishment, and this assistance it is obvious must increase with the projects of the Levy.

If it be intended to permit the recruiting parties to move about at pleasure without the knowledge or concurrence of the Inspecting Field Officers of recruiting districts, then indeed Colonel French has some cause to object to the mode of paying his Non-commissioned Officers pointed out by the War-Office; but as no such intention is supposed to exist, and that the same restrictions which it was judged expedient to put upon the late Levy raised by Capt. Nugent, will apply equally to this, no inconvenience can arise from the payment proposed, more particularly as the payment of recruiting parties always takes place a month in advance; but the detail of this, as well as other matters, will be given to Colonel French whenever he reports himself to you.

(Signed) G. H.

Col. Clinton.

(Circular) (Enclosure 4.—No. 3.)

Sir, Army Depot, 14th June, 1804.

I am directed by the Inspector General to transmit herewith copies of letters from Colonel Clinton and Francis Moore, Esq. respecting the intermediate approval of the Non-commissioned Officers and Drummers of Colonel French's Levy, and to desire you will pay every attention thereto.

I have the honour to be, Sir,
Your most obedient humble Servant,
(Signed) J. J. BARLOW.
Lt. Col. D. I. G.

Colonel Taylor,
Deputy Inspector General of the Recruiting Service, Dublin.

(Copy.)

Sir, Horse Guards, 11th June, 1804.

I am directed by the Commander in Chief, to transmit you the enclosed copy of a letter from the Deputy Secretary at War on the subject of inspecting the Non-commissioned Officers and Drummers of Colonel French's Levy; and as His Royal Highness concurs in opinion with the Secretary at War, as to the propriety of an early inspection of these men, His Royal Highness desires that you will be pleased to give the necessary directions accordingly, communicating at the same time to Colonel French the Commander in Chief's pleasure on this head.

I have the honour to be, Sir,
Your most obedient humble Seavant,
(Signed) W. H. CLINTON.

Lieut. General Hewitt,
&c. &c. &c.

(Copy)

(Copy)

Sir War-Office, 9th June, 1804.

In answer to your letter of the 31st ultimo, I am directed to submit, for the consideration of H. R. H. the Commander in Chief, that, as according to the present recruiting system, recruits are to be brought before the Inspecting Field Officers in the several districts, for approval, within as short a time as possible after their attestment, the Secretary at War thinks it highly proper that the same rule should be extended to the persons appointed Non-commissioned Officers and Drummers in Colonel French's Levy, and that they should be produced for inspection within one month of the dates of their attestations, in which case, if approved, Mr. Dundas would not object to allow them back-pay.

I have, &c. &c. &c.

Colonel Clinton, (Signed) F. Moore.

&c. &c. &c.

(Enclosure 5.—No. 4.)

FORM of Certificate given by men inlisted for Colonel French's Levy.

I do acknowledge that I have inlisted in Colonel French's Levy, for General Service, for the county of Pounds Shillings and Pence; and that I have received the whole of this bounty according to my agreement, except the sum of two Pounds five Shillings and Sixpence, which is to be reserved for the purpose of supplying me with necessaries on joining such battalion as I shall be appointed to, on my arrival at the Army Depot in the Isle of Wight.

Dated this day of 180.

Witness.

(Copy) (Enclosure 6.—No. 5)

Sir,

I beg leave to lay before you the following case, and make no doubt you will have the goodness to enquire into it. A boy of the name of Christopher Lanheran, inlisted with a party under the command of Captain Adam Robinson; he was brought to me to be attested on the 11th instant; two days after being inlisted, he refused to attest, wishing to be set at liberty; his friends lodged the smart money with me, and returned the inlisting money as directed by the recruiting act, and I sent the boy home to his friends.

On Monday last the 24th instant, Captain Robinson sent his party and took the boy into custody, and has forwarded him to Dublin, his friends inform me, without his consent or approbation; if on enquiry you find the above statement correct, you will please to order the boy to be set at liberty; on the other hand, should it appear that the boy is willing to serve His Majesty, then I will return the smart money to his friends.

I have the honour to be,

Armagh, September 27th, 1804. &c. &c. &c.

James Iles, Sovereign.

(Enclosure 7.—No. 6.)

Memorandum:

Copy of an ORDER from the Inspector General, being a transcript from one received from the Horse Guards.

Horse Guards, 10th November, 1804.

"His Royal Highness has been pleased to approve of the standard for Colo-"nel French's Levy being lowered to five feet four inches for men, and five "feet three inches for lads, but no alteration is to take place as to the age of "recruits, nor any in the standard for boys inlisted by him."

Sir, Horse Guards, 22d November, 1804.

"By direction of the Commander in Chief, I have the honour to transmit "herewith, a representation from Colonel French, and to acquaint you, that in "consequence of what is therein stated, His Royal Highness has been pleased "to approve of the limitation with respect to the age of men inlisted for this

Levy,

" Levy, being extended to thirty-five years, which you will be pleased to com-
" municate to the Inspecting Field Officers accordingly.
" With respect to the standard of boys inlisted for this Levy, His Royal
" Highness does not approve of any alteration taking place."

Major Gen. Whitelocke, (Signed) J. W. GORDON.
&c. &c. &c.

Sir, Army Depot, Isle of Wight, 26th November, 1804.

I am directed by the Inspector General to transmit, for your information and guidance, the enclosed copy of a letter from Lieut. Colonel Gordon, stating, that His Royal Highness the Commander in Chief has been pleased to approve of the age of men enlisted for Colonel French's Levy being extended to 35 years of age; you will be pleased to communicate the above to the I. F. O. under your orders. (Signed) J. J. BARLOW,
Lt. Col. D. I. G.

Br. General Taylor,
&c. &c. &c. Dublin.

(Copy) (Enclosure 8.—No. 7.)

Memorandum from Lieut. Colonel Gordon to Major General Whitelocke, dated 29th Oct. 1804.

Colonel French, by his letter of service, is entitled to 90 Serjeants, 90 Corporals, and 60 Drummers, and should of course be allowed to appoint them.

I. W. G.

(Copy)

Colonel Barton 29th Dec.

Will you make the necessary communication to B. Gen. Taylor and Colonel French. A. B.

(Copy) London, Cecil-street Coffee-house, Strand,

Sir, Dec. 18th, 1804.

Having done myself the honour (for the purpose of paying my respects to you) of calling at your office a few days ago, I was recommended by Major Browne to state upon paper, for your consideration, those points, in the letter of service granted to Captain Sandon and me, upon which the Deputy Inspector General in Ireland and I form different constructions. One of the chief points in which I conceive the Deputy Inspector has misapprehended the terms of the letter of service, is that which relates to the distribution of the Non-commissioned Officers. On this subject I had a correspondence with him some months ago (for as early as in August last I was directed by him not to recruit any more Serjeants whatever, though the Levy had then but about 26 in Ireland, and still fewer in England and Scotland) and a reference was made on the occasion by each party to Lieut. General Hewitt. I had not the honour of an answer from the Inspector General; but, from what Brigadier General Taylor expressed to me afterwards, previous to my leaving Ireland, I conceived he was satisfied with the correctness of my construction, and I hoped at length the Levy, on that head at least, though so very late, would receive no farther impediment. It is therefore with surprize I have learned that Brigadier Taylor since my leaving Ireland, will not allow more than 45 Serjeants to appear upon the pay-lists of the Levy in that country. When you, Sir, have the goodness to take the trouble of looking over this letter of service, I feel fully confident you will be satisfied B. Gen. Taylor has not maturely considered, or at least has misconceived, the terms of it. Not to intrude too much upon your time, I shall take the liberty merely to state, that the letter of service allows *ten Recruiting Officers and ninety Serjeants*, the proportion therefore is, that of nine Serjeants to each Officer. Seven Recruiting Officers are stationed in Ireland, of course therefore, by this calculation, there should be 63 Serjeants in Ireland. Upon what data the Deputy Inspector General founds his conclusion I am at a loss to conjecture, unless it is from the circumstance of my having informed Lieut. Col. Williamson, at the commencement of the Levy, that I should require 45 Serjeants' suits of clothing, &c. for Ireland, which Brig. Gen. Taylor was directed to supply me with. My original intention was, to have employed in Ireland only five Officers and 45 Serjeants, but very shortly after

after (for well considered reasons) this plan was changed, and seven Officers were placed on that service (who were duly notified to the Inspector General, and are there now) of course more Non-commissioned Officers became necessary, and I wrote to my colleague, Captain Sandon, in London, and the Resident Officer in Scotland, to send over additional clothing, which was done. I have no doubt on my mind but it will appear to you, that the terms of the letter of service do not by any means assign any stated proportion of Non-commissioned Officers to any particular part or district of the United Empire; but that this point is left to the discretion of the chiefs of the Levy, under the usual restrictions of the general recruiting instructions, as far as they apply. Their number is limited, the means of every undertaking should be adequate to the end. Ninety Serjeants were judged necessary for this Levy, and the proportion for Ireland; by far the major part has hitherto been suspended by Brig. Gen. Taylor, to the almost incalculable injury of the undertaking. These circumstances I had the honour, months ago, forcibly to state to him.

On my arrival in Ireland, in June last, various persons offered their services to recruit for me; among others were the offers of Mr. John O'Reiley, late Lieut. in the 60th foot. As I knew this gentleman to have been an active recruiting officer, and to have considerable influence in his country, it was natural I should wish for his services. Other Levies, as at present, were then recruiting in Ireland, and I informed myself how they acted on such occasions, and found they employed various persons to recruit, who sent forward their men through the medium of the officer of the Levy recruiting in the district. Mr. O'Reiley, in order to qualify himself, consented to be attested, which was done in my presence; which circumstance, by him, when called upon, was explained to Brig. Taylor, who has likewise seen his attestation. Essential service has been derived to the Levy from this person, he was under the charge of an officer of the Levy, Quarter-master Short, in the Athlone District. Brig. Gen. Taylor has deprived this man of his beating order, while other persons under similar circumstances, recruiting for other Levies, are allowed to hold theirs. He drew no pay from the public, and was therefore not included in the pay-lists, in like manner as others recruiting for the other Levies. As the other Levies did not report persons of this description, I followed the same rule; but if the Deputy Inspector wishes such to be reported to him as regularly as those included in the pay-lists, and upon the strength of the Levy, it can be done. I need not mention to you, Sir, that one active recruiter is frequently of more service than half a dozen others, and Mr. O'Reiley is that sort of man; under all these circumstances I trust it will appear to you, and to the Deputy Inspector General in Ireland, that I studied the good of the service in employing Mr. O'Reiley, and I hope he may be continued. Your having the goodness to communicate your sentiments on the points here laid before you, must tend in a great measure to do away the heavy impediments this Levy has had to contend with in Ireland, which, if continued, must prove fatal to its success,

I have, &c. &c. &c.

General Whitelocke, &c. &c. &c.

(Signed) J. French, Colonel.

(Copy) (Enclosure 9.—No 8.)

Inspector-General's Office, 54 Spring Gardens, May 22d, 1804.

Sir,

I am directed by Lieutenant General Hewitt to acquaint you, that a Colonel French has engaged with Government to raise a certain number of men, and, as he proposes, to send to or raise in Ireland 45 Serjeants, 45 Corporals, and 30 Drummers.

The General desires they may be clothed from the reserve clothing you may have in store, but if you have not sufficient, to direct clothing to be made up, viz. for each Serjeant, Corporal, and Drummer, a cap and plume, jacket, waistcoat, breeches, and long gaiters. The jackets of the Serjeants and Corporals to have bright yellow cuffs and capes, the usual lace, and plain white buttons.

For Colonel French's parties in England, reserve clothing has been issued for the Drummers without any alteration.

(Signed) GEO. WILLIAMSON,
Superint. of Clothing R. A. of Reserve,

Colonel Taylor,
&c. &c. &c.

(Enclosure 10.—No 9.)

Extract of a LETTER from Brig. General Taylor to the Inspector General; dated Dublin, 15th Nov. 1804.

"Enclosed is a Beating Order issued by Colonel French, to a person of the name of John O'Rielly, which I have been under the necessity of withdrawing, in consequence of the engagements with the recruits brought forward as Corporals being contrary to the instructions, inasmuch as holding out to them that when they are to be drafted, they are to go as Corporals instead of privates, whereby they are induced to inlist for 5, 6, or 8 guineas, instead of what they would have to agree for as privates. But exclusive of this reason for stopping this man's recruiting, it does not appear that he is on the returns or books of Colonel French, neither does any officer belonging to his Levy in Dublin, or his clerk, know that he is attested, although he says that he has been enlisted by Colonel French, and that he was formerly a Lieutenant in the 4th Battalion of the 60th regiment."

No. 18.

(One Enclosure.)

Copy of a Letter from Colonel Gordon to Mr. Kirkman.

Horse Guards, 20th February, 1805.

Sir,

I have received and laid before the Commander in Chief your letter of the 8th instant, transmitting, by direction of Lieutenant-General Lord Cathcart, Brigadier-General Taylor's report, with the accompanying papers relative to the complaint preferred by Colonel French against the Brigadier-General; and I am commanded to communicate to you, for the information of Lieutenant General Lord Cathcart, that the explanation of the Brigadier-General is satisfactory, in as far as it clearly proves that the motives from which he acted were a laudable zeal for His Majesty's service, and an anxious desire to discharge faithfully the duties of his office; but it certainly appears that a premature judgment had been formed on the probable success of the exertions of Colonel French, and that the terms of that officer's letter of service were not allowed him. I am further commanded to transmit to you a copy of a letter which the Commander in Chief has instructed the Inspector-General to write to Colonel French; and should it hereafter appear, that with every reasonable facility Colonel French should fail in the engagement he has undertaken, it is the intention of His Royal Highness to communicate to that officer that his Levy shall be discontinued.

I have, &c.
(Sigued) J. W. GORDON.

J. Kirkman, Esq.
&c. &c. &c.

(Enclosure.)

(Copy)

Inspector-General's Office, London, 2d Feb. 1805.

[*Partly to be returned to Mr. Dighton.*]

Sir,

The Commander in Chief having observed the very little progress that has been made in the recruiting of the Levy under your command, and having taken into his consideration the very great expense incurred for the pay and subsistence of the Officers and Non-commissioned employed upon that service, I am commnded to acquaint you, that, unless a very considerable increase shall take place in the numbers recruited prior to the 1st of April next, His Royal

Royal Highness will feel himself under the necessity of recommending to His Majesty to discontinue a Levy so unproductive.

I have, &c.

Colonel French, (Signed) JOHN WHITELOCKE.
&c. &c. &c. Inspector General.

No. 19.

M. Gen. Whitelocke.
(Agreed to.)

Sir, Army Depot, 14th April, 1805.

In addition to a return of the progress made in the recruiting of the Levy under the direction of Colonel French and Captain Sandon to the 24th January last, I have now the honour to transmit a return of its increase since that period; and considering the very great expence incurred for the subsistence of the Officers and Non-commissioned Officers employed on this service, as well as the disgraceful conduct of the latter, as represented in the enclosed letter from the Inspecting Field Officer of the London district, I feel it my duty to submit to the consideration of His Royal Highness the Commander in Chief the propriety of discontinuing a Levy so burthensome in point of expence to the public, and so very unproductive in its effect.

I have the honour to be,
Sir,
Your most obedient humble Servant,

Lieut. Col. Gordon, JNO. WHITELOCKE,
&c. &c. &c. Inr. Genl.
Horse Guards.

P. S. His Royal Highness will recollect having commanded me to communicate to Colonel French, that unless a very considerable increase should take place in the numbers recruited for this Levy by the first April (Instant), His Royal Highness would feel himself under the necessity of recommending to His Majesty its discontinuance.

(Enclosure 1.)

INCREASE of Colonel FRENCH'S Levy since Return transmitted 24th Jan. 1805.
Army Depot, 13th April, 1805.

Inlisted.	After Approval			Rejected	Joined at the Army Depot.	With the Parties.					Temporary Serjeants.
						Permanent included in the Number inlisted.					
	Dead.	Deserted	Claimed.			Serjeants.	Corporals.	Drummers.	Privates.	Recruits.	
92	—	11	—	9	35	12	11	5	—	9	2

N. B. By letter of service, dated 30th April, 1804, this Levy was to have raised 5,000 men within 13 months, and it has only produced 219 in twelve months.

J. WHITELOCKE,
I. Genl.

(Enclosure 2.)

Sir, 12, King's Row, April 11th, 1805.

I am under a necessity of making a formal complaint against the whole of the temporary Serjeants of Colonel French's Levy, their conduct is in every respect so infamous and disgraceful to the service, that I cannot too strongly urge their being discharged, or at least sent out of the London district. In addition to a variety of crimes and irregularities, they are now busily employed in crimping for other corps, and most particularly for the additional force; the impositions daily practised by them upon the public call loudly for redress, and I believe the severest punishment that could be at present inflicted on them, would be, depriving them of the pay and emoluments of Serjeants,

I have the honour to be,

Sir,

Your obedient humble Servant,

F. P. ROBINSON,

I. F. O.

The Inspector General of the Recruiting Service.

No. 20.

Copy of a letter from the Commander in Chief to the Secretary at War.

Sir, Horse Guards, 16th April, 1805.

As it appears by the returns of Colonel French and Captain Sandon's joint Levy, that it is not by any means so productive as might have been expected; and as the Inspector-General of the recruiting service has represented that the conduct of the whole of the temporary Serjeants of that Levy, now in the London district, is highly improper and detrimental to the service, I have recommended to His Majesty, and His Majesty has been graciously pleased to approve of this Levy being forthwith discontinued, agreeable to a clause in the letter of service to that effect, and I have therefore to request that the necessary information may be given to Colonel French and Captain Sandon accordingly.

I have ordered communications to be made to the Commander of the Forces in Ireland, and to the Inspector-General of the recruiting service, on the subject.

I am, &c.

(Signed) FREDERICK.

The Right Honourable the Secretary at War, &c. &c. &c,

No. 21.

C. L.

H. R. H. cannot give any further encouragement to the prosecution of a Levy which has turned out so unprofitable to the Public Service.

Colonel French and Captain Sandon beg leave to submit to the consideration of His Royal Highness the Commander in Chief, the following modifications and alterations to take place in their letter of service. They shall not trouble His Royal Highness with details of difficulties they have had to encounter, and of losses and heavy expences sustained, nor with statements to prove that their exertions have by no means been deficient. They merely beg to observe, that there are at present about forty recruiting parties of the Line in Ireland, who send their recruits to the Dublin Depot. These parties are, of course, composed of forty officers, &c. and these parties, they are well informed, do not in the aggregate send forward more than between forty and fifty recruits per month, whereas their Levy, with only seven recruiting officers, in the months of February and March last, finally passed eighty recruits. The same holds good with respect to Scotland, and they may venture to say equally so in England. They trust His Royal Highness will have the goodness to excuse these few remarks.

One important difficulty which they have had to encounter in England they trust will have its weight with His Royal Highness. It has not been in their power, to this day, by any means yet essayed, to obtain

one sixpence of the Levy Money (nineteen guineas per man) of eighty-five recruits finally passed at the Isle of Wight: the weight of so heavy and accumulating a sum could not but embarrass and cripple their exertions.

As they conceive the chief objection which has been ascribed to their Levy to be its extensive establishment and consequent expense, to obviate altogether such objection, they have the honour to submit the enclosed modifications and alterations, and hope His Royal Highness will be pleased to allow them to continue their exertions for such further term as His Royal Highness may think proper; and they feel confident in such case that their Levy will prove highly beneficial to the recruiting service, at the same time that its establishment will be founded upon the most œconomical principles.

J. FRENCH, Colonel.
H. SANDON, Captain.

London,
Cecil-street Coffee-House, Strand,
April 20, 1805.

MODIFICATIONS and ALTERATIONS proposed for Colonel FRENCH's and Captain SANDON's LEVY.

Colonel French and Captain Sandon having found by experience, that a great part of the officers attached to their Levy, instead of exerting themselves in recruiting, appear rather to have conceived their ends attained by obtaining full pay, they propose that other persons may be employed under a different impression, with temporary rank in the army, in the same manner as was allowed in Captain Nugent's late Levy. These perons will draw no pay from Government.

It is therefore submitted that five officers (whose names are below mentioned) be struck off from the Levy, and revert to their half-pay.

That the ninety Serjeants, allowed by the letter of service, be reduced to forty-five.

That the Corporals, instead of ninety, are to consist of forty-five.

That the Drummers, instead of sixty, are to consist of thirty.

The Serjeants, &c. to be discontinued, will be selected by Colonel French and Captain Sandon, and their names delivered in at the respective Depots by the resident officers, in order that such as are permanent may be drafted, agreeably to the letter of service, and the limited ones discharged.

As the Line are instructed to take boys at five feet, it is submitted to His Royal Highness, that the boys allowed by the letter of service may be taken at the same standard.

J. FRENCH, Colonel.
H. SANDON, Captain.

London,
Cecil-street Coffee-House, Strand,
April 20, 1805.

Officers proposed to be struck off the Levy:—
Captain Collett.
Lieutenant Bowers.
Ensign Wood.
Adjutant Dickson.
Quarter-Master Short.

No. 22.

Copy of a letter from Colonel Gordon to Colonel French and Captain Sandon.

Gentlemen, Horse Guards, 28th April, 1805.

Having laid before the Commander in Chief your memorandum of the 20th instant proposing certain alterations in your letter of service, I am commanded

to

to inform you that His Royal Highness cannot give any further encouragement to the prosecution of a Levy which has turned out so unproductive to the service, and for discontinuing of which orders have already being given.

I am, &c.

Colonel French and Captain Sandon. (Signed) J. W. Gordon.

No. 23.

Army Depot, 6th February, 1809.

Dear Colonel,

I was not enabled to make you an accurate return of Colonel French's Levy, without detailing them in the first instance by name, and now inclose it, which includes every man who has arrived at the Army Depot; but thinking it likely that a return of numbers may answer your purpose, I also inclose it, in which I have mentioned how the whole have been disposed of.

I have the honour to be,
Dear Colonel,
Your's most faithfully,

Lt.-Colonel Gordon,
&c. &c. &c.
Horse Guards.

Jas. Taylor, B. G.
Com.

(Enclosure 1.)

RETURN of MEN sent to the Army Depot by Colonel French, and how disposed of,

6th February 1809.

No 1.	How disposed of.
75	Attached to Regiments of the Line
14	- - - - West India Corps.
2	- - - - R. Barrack Artificers.
4	- - - - Garrison and Veteran Battalions.
64	- - - - East India Company.
19	Rejected.
5	Deserted.
13	Returned to London, Recruiting, and never brought back.
196	Total.

Jas. Taylor, B. G
Com.

Enclosure

(Enclosure 2.)

RETURN of Men sent to the Army Depot by Colonel French, in the Years 1804 and 1805, and how they were Distributed.

Army Depot, 6 February 1809.

No.	NAMES.	Date of Arrival.	From whence joined.	How disposed of.
		1804		
1	Corpl James Wilson.....	14July	London	17th Foot.
	Prive. Richd. Masters.....	.....	.....	17th.
	..... Thos. Franhish.....	.....	.....	E. I. Co.
	Dr. Thos. Willans.....	.....	.....	E. I. Co.
5	Prive. John Bourne.....	.....	.....	Discharged.
	..... Geo. Gardner.....	.....	.....	17th Foot.
	..... Geo. Slark.....	.....	.....	17th.
	Serjt. Wm. Betty.....	19th	.....	Ret. to London to rect.
	Prive. Benjn. Nolden.....	25th	.....	8th Foot.
	..... John Asman.....	.....	.....	3d Bn. 60th.
	..... George King.....	5 Aug.	.....	17th Foot.
10	..... Mattw. Rea.....	.....	.....	Rejected.
	..... Rd. Ayliffe.....	18th	.....	Deserted.
	..... Jas. Holland.....	.....	.....	17th Foot.
	..... Rd. Colman.....	.....	.....	Deserted.
	..... Wm. Moody.....	.....	.....	Discharged.
15	Tempy. Serjt. John Coghlan	6th Sep.	.....	} Returned to London to recruit.
	.....Wm. Carter.....	.....	.....	
	.....Chas. Patterson.....	.....	.....	
	Corpl. Geo. Grant.....	.....	.....	Discharged.
	..... Geo. Webb.....	.....	.....	Ret. to London to rect.
20	T. Serjt. Henry Pegg.....	21st	.....	Deserted.
	Corpl. Wm. Jones.....	.....	.....	Ret. to London to rect.
	Prive. Jas. Brown.....	.....	.....	E. I. C.
	..... Jos. Gabb.....	.....	.....	13th Foot.
	..... Thos. Kirkwood.....	27th	.....	13th.
25	..... Thos. Cormack.....	.....	.....	54th.
	..... Jas. Young.....	29th	.....	Discharged.
	..... Jos. Banbury.....	.....	.....	E. I. C.
	..... John Cook.....	5th Oct.	.....	54th Foot.
	..... Saml. Robinson.....	14th	.....	Deserted.
30	..... Chas. Miller.....	.....	.....	Do.
	..... Henry Briggs.....	.....	.....	E. I. C.
	..... John Wright.....	.....	.....	Do.
	..... Thos. Bean.....	.....	.....	Do.
	Drumr. Jno. Wade.....	27th Oct.	.....	Discharged.
35	Prive. Robt. Conway.....	.....	.....	Do.
	T. Serjt Peter Dunn.....	.....	.....	Ret. to London to rect.
	Privt. Wm. Thornhill.....	27th Nov	.....	E. I. C.
	..... Jos. Johnson.....	.....	.....	E. I. C.
	..... Jno. Gunnis.....	.....	.....	19th Foot.
40	..... Jas. Ellis.....	15thDec.	.....	Ret. to London to rect.
	..... Jno. Selby.....	.....	.....	Do.
	..... Jos. Bier.....	.....	.....	Do.
	..... Jno. Fisher.....	.....	.....	Do.
	..... Timy. Dacey.....	.....	.....	56th Foot.
45	..... Thos. Bird.....	21st Dec.	.....	56th.
	..... Anthy. Bird.....	.....	.....	56th.

No.	NAMES.	Date of Arrival.	From whence joined.	How disposed of.
		1805		
47	Privt. Michl. Neal.....	6 Jan.	London	56th Foot.
	..... Mattw. Hewitt.....	.....	.....	56th.
	..... Thos. Bailey.....	23d	.....	22d.
50	..... Wm. Griffiths.....	.....	.....	22d.
	..... Jos. Shore.....	.....	.....	56th.
	..... Isaac Worrard.....	4th Feb.	.....	E. I. C.
	..... Jos. Griggs.....	.....	.....	Discharged.
	..... John Carty.....	.....	.....	Do.
55	..... Fras. Williams.....	6th	.....	56th.
	..... John Keirnan.....	.....	.....	49th.
	..... Wm. Brooks.....	.....	.....	56th.
	..... John Dean.....	7th	.....	E. I. C.
	..... John Flannigan.....	15th	.....	56th.
60	P. Serjt. Isaac Frampton....	.....	.....	Ret. to London recrt.
	Private Chas. Egar..	.....	.....	Bk. Artifrs.
	..... John Prest..	.....	.....	56th.
	..... Thos. Hayes.....	.....	.....	56th.
	..... Rd. Walker.....	1st Mar.	.....	56th.
65	..... Thos. Ireland.....	.....	.....	56th.
	..... Geo. Stratton.....	.....	.....	Rejected.
	..... Mattw. Cullen.....	4th	.....	E. I. Co.
	..... John Merrett.....	.....	.....	23d.
	..... Geo. Heathcott.....	1st Apr.	.....	Rejected.
70	..... Saml. Terry.....	.....	.....	E. I. C.
	..... Jas. Mitchell.....	.....	.....	Rejected.
	..... W. Nethercott.....	2d May	.....	E. I. C.
	..... Wm. Lynch.....	.....	.....	Rejected.
	..... Robt. Conway.....	6th	.....	Ret. to London to recr.
75	..... John Wade.....	.....	.....	Rejected.
		1804		
	..... Jas. Wynn.....	11th Oct.	Dublin	80th Foot.
	..... Jas. Flood.....	.....	.....	80th
	..... Chas. Brady.....	.....	.....	80th
	..... Thos. M'Lauchlin....	.....	.....	E. I. C.
80	..... Geo. Bernie.	.....	.....	80th.
	..... Jos. Trickleton.....	.....	.....	75th.
	..... John Layman.....	.....	.....	75th.
	..... Patk. Walker.....	24th Nov	.....	B. Artifrs.
	..... Wm. Johnston.....	.....	.....	E. I. C.
85	..... Jas. Kirnaghan.....	.....	.....	56th.
	..... Thos. Purcell.....	.....	.....	56th.
	..... Chas. Somerville.....	.....	.....	E. I. C.
	..... John Leeson....	.....	.....	E. I. C.
	..... Patk. Dalton.....	.....	.....	56th.
		1805		
90	..... Wm. Miller.....	5th Jan.	.....	60th, 3rd Bn.
	..... Chas. M'Cormick.....	.....	.....	56th.
	..... Rd. P. Maloney.....	.....	.....	17th.
	..... Jas. Bryon.....	29th	.....	56th.
	..... Jas. M'Cabe.....	.....	.....	56th.
95	..... Wm. Heyslop.....	.....	.....	56th.
	..... Robt. Callaghan.....	19th Mar.	.....	E. I. C.
	..... Barny Reynolds.....	.....	.....	E. I. C.
	..... Thos. Burgiss.....	.....	.....	E. I. C.
	..... Chas. Keogh.....	27th Apr.	.....	E. I. C.
100	..... Jas. O'Neil.....	.....	.....	E. I. C.

No.	NAMES.	Date of Arrival.	From whence joined.	How disposed of.
		1805.		
101	Prive. John Meghar.....	27th Apr.	Dublin.	E. I. C.
	..... Nichs. Kelley.....	.....	.....	E. I. C.
	..... Patk. Hartigan.....	.....	.....	E. I. C.
	Serjt. John Dale.....	20th June	.....	3rd W. I. R.
105	..... Patk. O'Conner.....	.....	.....	6th.
	..... Jas. Murphy.....	.....	.....	6th.
	..... John Samphy.....	.....	.....	3rd.
	..... Jas. Patton.....	.....	.....	3rd.
	..... Jas. Humphrys.....	.....	.....	6th.
110	..... Jas. Leonard.....	.....	.....	1st.
	..... John Humphrys.....	.....	.....	6th.
	..... Wm. Hamilton.....	.....	.....	4th W. I. Regt.
	..... Fras. Smith.....	.....	.....	49th Foot.
	..... Dens. Daley.....	.....	.....	4th W. I.
115	..... Jas. Roach.....	.....	.....	6th.
	..... Peter Callaghan.....	.....	.....	3d.
	..... Curtis Hynes.....	.....	.....	8th.
	..... Patk. Fairn.....	.....	.....	49th Foot.
	Privt. Wm. Wright.....	.....	.....	E. I. C.
120	.... Edwd. Cane.....	.....	.....	Do.
	..... Jas. Piggot.....	.....	.....	Do.
	..... Corns. Conner.....	.....	.....	Do.
	..... Wm. Cluff.....	.....	.....	Do.
	..... Jas. Bell.....	.....	.....	Do.
125	..... Edwd. Maley.....	.....	.....	Do.
	..... Thos. Sparrow.....	.....	.....	Do.
	..... Jno. Ready.....	.....	.....	34th.
	..... Michl. Ryan.....	.....	.....	Do.
	..... Robt. Ryan.....	.....	.....	E. I. C.
130	..... Hugh Moony.....	.....	.....	3d G. Bn.
	..... Tere. M'Cusker.....	.....	.....	E. I. C.
	..... Chas. Slater.....	.....	.....	E. I. C.
	..... Jas. Thompson.....	.....	.....	E. I. C.
	..... T. P. King.....	.....	.....	1st Gn. Bn.
135	..... Timy. Conroy.....	.....	.....	E. I. C.
	..... John Neil.....	.....	.....	E. I. C.
	..... John Flaherty.....	.....	.....	68th.
	..... Wm. Kain.....	.....	.....	E. I. C.
	..... M'Instray King.....	.....	.....	E. I. C.
140	..... Edmd. Murphy.....	.....	.....	E. I. C.
	..... Thos. Kimmins.....	.....	.....	E. I. C.
	..... Andw. Piggott.....	.....	.....	E. I. C.
	..... Owen Johnson.....	.....	.....	E. I. C.
	..... Robt. Patterson.....	.....	.....	E. I. C.
145	..... Hugh Donnelly.....	.....	.....	E. I. C.
	..... Patk. M'Caghy.....	.....	.....	12th Foot.
	..... Geo. Douglas.....	.....	.....	12th.
	..... Alexr. Cathcart.....	.....	.....	E. I. C.
	..... Edmd. Donaghoe.....	.....	.....	E. I. C.
150	..... Thos. Kelly.....	.....	.....	2nd Bn. 34th.
	..... Geo. Fee.....	.....	.....	E. I. Co.
	..... John Sullivan.....	.....	.....	Do.
	..... Patk. Gorman.....	.....	.....	Do.
	..... Luke Heyland.....	.....	.....	Do.
155	..... Martin Carroll.....	.....	.....	13th Foot.
	..... Wm. Kelly.....	31st Aug.	.....	86th.
	..... Michl. Ryan.....	28th Dec.	.....	84th.

No.	NAMES.	Date of Arrival.	From whence joined.	How disposed of.
		1805.		
158	Prive. Thos. Wade.....	28th Dec.	Dublin.	Rejected.
		1804.		
	..... John Frazer.....	25th Dec.	Edinbur.	56th.
160	..... Patk. Dennis.....	.....	.....	56th.
	..... John Wood.....	.....	.....	56th.
	..... Dennis Cairnes.....	.....	.....	56th.
	..... Walter Hume.....	.....	.....	56th.
	..... Danl. Stevenson.....	.....	.....	Rejected.
		1805.		
165	..... Alexr. Baird.....	24th Feb.	.....	56th.
	..... Geo. Keith.....	.....	.....	56th.
	..... Thos. Gill.....	.....	.....	E. I. Co.
	..... Jas. Leishman.....	.....	.....	56th.
	..... Jno. Napier.....	.....	.....	51st.
170	..... Jno. Wardrobe.....	.....	.....	56th.
	..... Hugh M'Ilwraith.....	.....	.....	56th.
	..... John Pyott.....	.....	.....	6th. V. Battn.
	..... Alexr. Henderson.....	.....	.....	56th.
	..... John Fenwick.....	.....	.....	56th.
175	..... John Emers.....	.....	.....	56th.
	..... Thos. King.....	16th Apr.	.....	E. I. Co.
	..... Wm. Bryce.....	.....	.....	E. I. Co.
	..... Geo. Renny.....	.....	.....	E. I. Co.
	..... Thos. Cooper.....	.....	.....	E. I. Co.
180	..... David Watt.....	23rd	.....	E. I. Co.
	..... Adam Kerr.....	2nd June	.....	94th.
	..... Davd. Pilmer.....	.....	.....	94th.
	..... Thos. M'Colgan.....	.....	.....	94th.
	..... Wm. Lumsden.....	.....	.....	Rejected.
185	..... Benjn. Smith.....	.....	.....	94th.
	..... Peter Quigley.....	.....	.....	94th.
	..... Thos. Darley.....	.....	.....	E. I. Co.
	..... Hugh M'Nichol.....	.....	.....	E. I. Co.
	..... Jas. Gibson.....	.....	.....	E. I. Co.
190	..... Wm. Kinghorn.....	.....	.....	E. I. Co.
	..... Melvn. M'Kay.....	.....	.....	6th R. V. Battn.
	..... Wm. Dean.....	.....	.....	Rejected.
	..... Fredk. M'Kenzie.....	.....	.....	Do. (being cond. Sjt.)
	..... Jno. Cunningham.....	15th	.....	E. I. Co.
195	..... Wm. Smith.....	12th July	.....	2nd Battn. 34th.
196	..... Wm. Henderson.....	4th Sept.	.....	8th W. I. Regts.

HOUSE OF COMMONS,

THURSDAY, FEBRUARY 23d, 1809.

SOON after the meeting of the House, it was informed by the Speaker, that he had just received a letter from his Royal Highness the Duke of York, relative to the inquiry which the House had instituted into the conduct of his Royal Highness. He then asked the opinion of the House whether he should read the letter in question.—*(A general cry of Yes, Yes! Read, Read!)*

"SIR, "*Horse Guards, Feb.* 23, 1809."

"I have waited with the greatest anxiety until the Committee appointed by the House of Commons to inquire into my conduct as Commander in Chief of his Majesty's Army had closed its examinations, and I now hope that it will not be deemed improper to address this letter through you to the House of Commons.

"I observe with the deepest concern, that in the course of this inquiry my name has been coupled with transactions the most criminal and disgraceful, and I must ever regret and lament that a connection should ever have existed which has thus exposed my character and honour to public animadversion.

"With respect to my alleged offence, connected with the discharge of my official duties, I do, in the most solemn manner, upon my honour, as a Prince, distinctly assert my innocence, not only by denying all corrupt participation in any of the infamous transactions which have appeared in Evidence at the Bar of the House of Commons, or any connivance at their existence, but also the slightest knowledge or suspicion that they existed at all.

"My consciousness of innocence leads me confidently to hope that the House of Commons will not, upon such evidence as they have heard, adopt any proceedings prejudicial to my honour and character; but if, upon such testimony as has been adduced against me, the House of Commons can think my innocence questionable, I claim of their justice that I shall not be condemned without trial, or be deprived of the benefit and protec-

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tion which is afforded to every British subject by those sanctions, under which alone evidence is received in the ordinary administration of the law.

I am, Sir, your's,

FREDERIC."

"*The Speaker of the House of Commons.*"

This letter was ordered to lie on the Table.

The SPEAKER observed, that, as it was a matter of more than ordinary importance, it might be proper that the Clerk should immediately make a copy of it for the general inspection of the House.—Ordered.

MR. BANKES said, it appeared to him so novel a procedure, that he could not forbear asking, whether there was any similar precedent?

The SPEAKER replied, that it was customary for all letters directed to the House upon charges pending before the House, to be opened and read by the Speaker to the House.—Upon more important matters the Speaker took the sense of the House whether such letters should be read or not, as he had done; and that such letters should be laid on the Table was a matter of course. But as this was a case in which he thought there should be no delay, he had therefore requested that a copy might be taken.

Friday, February 24th.

MR. WHITBREAD called the attention of the House to the letter of his Royal Highness the Duke of York, which had been received and read the preceding day. He did this because he thought that letter most seriously affected the privileges of the House of Commons. When the Speaker produced and read it, he acted, as he always had done, with prudence and caution, and did not by any means hurry it forward. He felt that it might be asked, why he did not then object to the measures which had been taken upon it, to which he would reply that its importance made him hesitate, and he was taken by surprise. He however conceived that it was incumbent on the House to take that letter into serious consideration, as it struck at its most vital privileges. His Royal Highness desires, as he is conscious of his innocence, that no proceedings shall be taken upon the evidence we have heard at the bar, as the mode we have taken is not compatible with justice. As well might he have desired us, in the first instance, not to institute any inquiry, because he was innocent. If any one had advised him to adopt this course, he thought such person must merit the censure of the House, or at least a Committee should be appointed to inquire into the subject; however, for the present, he would content himself with protesting against the procedure.

MR. PERCEVAL said, that the hon. gentleman had stated the letter, which had been presented from his Royal Highness, to be a dangerous attack upon the privileges of the House of Commons; had the hon. gentleman made a motion upon the subject, it would have so explained his meaning, as to have given him an opportunity of answering his objections. When he read the letter, he confessed there was nothing in it which struck him as affecting the privileges of the House. The hon. gentleman had certainly not read the letter in the same sense which he had; and if there were two ways of understanding it, he hoped he was not wrong in

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recommending the mildest. The way in which he understood it, was this: that when his Royal Highness found he was charged before that House with crimes the most disgraceful, and that an inquiry had been proceeded in, which was in no way resisted on his part, and which had powerfully excited the attention of the public, he was desirous to meet it with his allegation of conscious innocence, and nothing more; yet, if, after that allegation, doubt and suspicion should be entertained, and his character and honour appear questionable, in that case he only called upon or requested the House not to pursue measures which would have the effect of condemning him without trial; not for the purpose of preventing an impeachment, but that, before his character and honour were condemned, he might have the privilege which, by the constitution of this country, every British subject could claim, from the highest to the lowest, or from the lowest to the most elevated. The right hon. gentleman said he could not conceive how this could be considered an attack upon the privileges of the House. The manner in which the letter had been presented and received was not a common proceeding; yet not wholly unprecedented; so in that point it was no attack. It might at all events have been presented, as petitions are, and, if improper, it might have been objected to, but it would never have been rejected on wrong grounds; for he believed his Royal Highness as little thought of making a princely attack on the House as he did. He wished to know whether any hon. gentleman intended to make any motion on the subject, as he did not; nor did he know of its being in the contemplation of any one so to do.

Lord Henry Petty said, he hoped he might be allowed to say a few words on the subject. He did not understand his hon. friend to object to the allegation. The part he understood him to object to was, his going beyond that allegation, and questioning the line of conduct the House was about to pursue; and implying that the House could not proceed, or come to any determination upon the evidence, which their privileges and judgments had enabled them to produce. He trusted, for the interests of justice, that the House of Commons would never submit to be dictated to by any man. He concluded by saying, that he thought a Committee should be appointed to take the letter into consideration.

Mr. Perceval said, that as Thursday next had been fixed upon for the Committee to take into consideration the conduct of his Royal Highness, he thought it necessary to state that the printer could not possibly get the minutes ready before Wednesday, and consequently there could not be sufficient time for their consideration. He therefore wished some other day should be fixed upon.

This introduced a conversation relative to changing the order of some of the questions before the House for consideration; in the course of which

Mr. Perceval said, there was another subject in some degree connected with the charges against the Duke of York—he alluded to the transactions, in the course of this inquiry, which had been mentioned as attaching to the Chancellor and the Duke of Portland. A friend of his had informed him of an advertisement in a newspaper of the 12th of January, which offered a place under Government for sale. He had authorised the Solicitor to trace it, and he now informed the House that four persons were indicted for this transaction. A person of the name of Coleman, one named Taylor, and another whose name we could not hear, and a banker.

Mr. Combe said, as the others had been named, it was but *fair* the banker should.

Mr.

Mr. Huskisson replied that his name was Watson; he was indicted for receiving the deposit, and giving a receipt.

After some further conversation upon the day for considering the conduct of his Royal Highness, it was fixed for Wednesday, March 8th.

Friday March 3rd.

Mr. C. W. Wynne rose, pursuant to notice, to call the attention of the House to the conduct of Brigadier-General Clavering. But before he did so, he said that he thought it necessary to state the reasons which induced his acquiescence in the delay that had already occurred upon this business. At the same time he must observe, that although he acquiesced in the delay, the impression upon his mind of General Clavering's prevarication, was so strong upon the last night of his examination, that he thought the Committee ought not to have separated without coming to a decisive resolution respecting it. There were many forcible reasons why such misconduct should have been brought to an early discussion. For if the prevarication of a man of the rank and station of General Clavering, were suffered to escape with impunity—if an example were not made in his case, the mischievous consequences likely to result must be obvious. But when he heard it stated by some gentlemen, that this Officer's examination upon a former evening, was not combined with his letters, sufficiently fresh in their memory to come at once to a decision, the reason for delay was too strong to be withstood. But there was a still stronger reason in his mind for consenting to delay. The Chancellor of the Exchequer stated, that the whole of the papers respecting the evidence would not be printed before the Monday following General Clavering's last examination; while the discussion of the main question was fixed for three days afterwards. With this statement in his recollection, and naturally thinking that no subject of discussion should interfere in so short an interval, with that attention which every gentleman must be anxious to give alone and undivided, to a question of so much importance, he did not conceive it proper in such a period to bring this motion forward. But the discussion of the main question being postponed till Wednesday next, and the whole of the evidence having been before the House since the preceding Tuesday, he hoped this would not be deemed an improper or unsuitable opportunity for considering the proposition which he had to submit. To delay it any longer would indeed, he should think, be a hardship. For any individual of his rank and connection must naturally be agitated, while a charge so materially affecting his character was suspended over him. Therefore, all who were disposed to consult the feelings of General Clavering, should concur with those who were desirous for justice in bringing the question respecting that Officer to a speedy determination. He was not aware indeed of any good reason for delay. It had been suggested to him that this motion ought not to be proposed until the main question was disposed of; because there were gentlemen who might be inclined to bring forward a similar charge against other witnesses. If this proposition were likely to affect the main question—if it could be shewn that it was calculated to make either for or against the Duke of York, then, in that case, there would be a good ground for postponing it. But the evidence of General Clavering had no such tendency. Every one of the witnesses should be considered on its own grounds. There might be less or greater degrees of connection between them, but he would protest against the justice of examining them upon general grounds, upon impeaching them in a mass, or upon a comparison of notes. It might be equitable

to send other witnesses to Newgate; but let the merit or demerit of each be examined upon separate grounds, as he proposed in this instance with regard to General Clavering. When the correctness of any other witness should be submitted to the consideration of the House, he should feel it his duty to come to the discussion in the same rule of justice which he called upon gentlemen to apply to the subject of his motion. But he should very ill discharge his duty, or deserve the reputation of common sense, if he did not mark the difference which existed between the nature of General Clavering's testimony, and that of any other witness. For not only would more mischief result from the impunity of this Officer's misconduct, but his case was in fact prominent and single in its character. In the first place, his evidence was quite voluntary; he had no occasion to come forward.—He begged that he might not be understood to insinuate that any occasion could justify prevarication; but yet, if a witness were called for; if obliged to appear at the bar, it was natural that he should endeavour to defend himself from any thing like inculpation. But here the case was different: General Clavering was a *volunteer*---he came forward of his own accord, and therefore was liable to the suspicion of designing to impose upon the House.

Here the learned gentleman drew the attention of the House to the following questions, upon which he meant principally to rest his resolution, and which he contended did not affect, in any manner, the deposition of the other witnesses. Those questions were the last put to this Officer on the 10th of February, which was his first day's examination:

"Had you any communication whatever on the subject of army promotions with Mrs. Clarke?—I never proposed any conversation of that kind, nor do I recollect any having ever existed, excepting at the period I before alluded to, when she requested I would recommend to the consideration of the Duke of York, Lieutenant Sumner, of the 20th regiment.

"I understand you then to say, you said never at any time any communication or conversation whatever with Mrs. Clarke on the subject of army promotions, except in the case of Lieutenant Sumner?—Certainly not, as being the subject of conversation.

"Had you any incidental conversation with Mrs. Clarke upon that subject?—A period of so many years having elapsed since that time, it is impossible to speak positively and accurately to a question so close as that, but to the best of my belief I do not think I had.

"Do you, of your own knowledge, know that Mrs. Clarke used her influence in favour of any person whatever in the army with the Commander in Chief?—I do not.

"Do you, of your own knowledge, know of any person that asked her to use her influence with the Commander in Chief upon that subject?—I am not acquainted with any person that ever did; I have heard reports of that nature, but I cannot bring to my recollection any person positively.

"Then you state positively that you do not know of any transaction of that nature?—None, to my certain knowledge.

"Give a direct and positive answer to that question?—I do not know of any transaction of that nature."

To my understanding, observed the learned gentleman, nothing could be more direct than this disavowal, and notwithstanding what had been said in every direction on the subject—notwithstanding what had transpired, and must have occurred to his memory—notwithstanding the publication of his own letters delivered in by Mrs. Clarke, on the 15th of February, this officer

cer does not offer to come forward until ten days after his first examination, prompted no doubt by the letters; and what does he do? He proposes an explanation of his former testimony; and what was that explanation? Why, truly, that he understood communication and conversation to mean merely personal, and that it had no reference whatever to correspondence. But does it appear that this Officer had really no personal conversation with Mrs. Clarke upon the subject of army promotions? On the contrary, we find in the letter of the Duke of York, of the 24th August, a direct allusion to a request of this Officer, where he states—"Clavering is mistaken in thinking that any new regiments are to be raised—it is not intended—only second battalions to the existing corps. You had better therefore tell him so—and that you were sure that there would be no use in applying for him."—What is the inference from this letter, and how is that inference confirmed, or rather made manifest? By General Clavering's own letter of the 28th August. In this letter, the House will perceive, he enters very fully into the nature of the proposal, respecting which Mrs. Clarke had applied to the Duke of York in vain, as his Royal Highness's letter of the 24th of August explained. It will also be observed in this letter, that although General Clavering professed at the bar, that he should consider it as a slur upon him if he had been overlooked in the promotions which took place in 1804—if he had not been appointed a Brigadier-General in the ordinary routine, yet that he alludes to a recent obligation for his present appointment. Now, what does this recent obligation refer to but to his commission of Brigadier-General, which he had obtained on the 5th of June, as Mrs. Clarke stated.—But let the House look to this Officer's letters of the 11th November and 12th December, in which he continued to address Mrs. Clarke upon military subjects—begging her to ascertain whether new regiments were about to be raised, and to acquaint him of it as soon as possible. With these facts in the recollection of the House, any gentleman, disposed to acquit General Clavering of prevarication must believe three things:—first, that this Officer did not understand conversation or communication to mean any thing more than personal, and that neither had any reference to epistolary correspondence; and, secondly, that he considered the raising of a new regiment as of so little consequence, that, after the lapse of five years, it was impossible for him to recollect such a trivial point. Good God! Sir, is it probable, nay possible, that such a person, a General Officer too, could obtain belief, when stating at this bar that the object of raising a regiment, for which he had offered 1000*l.* could, after a period of five—or any number of years escape his recollection? The idea was quite preposterous. But the third circumstance to which I allude seems still more difficult to believe—namely, that this Officer, when stating in his answers at the bar, that he knew not of any applications being made to Mrs. Clarke upon military subjects, of her obtaining any military promotions, or applying to the Duke of York for any person: he (Clavering) did not conceive himself, or his concern in any such transactions, to be at all included. In a case of this nature I am willing to make allowance for misconception or inaccuracy, that can reasonably be required—but if there be any gentleman who will lay his hand to his heart, and say that he can believe these with regard to General Clavering, I shall only say, that I cannot expect that such gentlemen will vote for my motion. Having gone thro' the several points of the case, the learned member expressed his sense of the painful task he had to perform upon this occasion; to which, however, he was urged by too powerful an impression of public duty to shrink from it under any consideration of personal feeling. There

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were many aggravating circumstances connected with this case, which rendered it impossible for the House to overlook it. If a man of high rank, of honourable connection, and honourable profession, with every motive to impress a just sense of honour, would not tell the whole truth, from whom was the whole truth to be expected. The dignity of the House, its character, and its interest, appeared to him to be implicated in the fate of this question. For if an example was not made upon such an instance of gross prevarication—if a witness could save himself from the consequences of his shuffling, by such frivolous pretences as the House had heard from General Clavering, its inquisitorial powers must become nugatory; for how could it be expected that a witness would be very solicitous about telling truth at that time, when not bound by the obligations of an oath, and released from the dread of punishment for prevarication? the learned member concluded with moving, that such of the evidence of the 10th, 15th, and 20th of February, taken before the Committee of Inquiry respecting the Duke of York, as related to General Clavering, should be read, which being read accordingly, the learned gentleman moved a resolution, that General Clavering had been guilty of prevarication.

Sir M. Ridley admitted, the evidence certainly appeared contradictory, but could not imagine General Clavering could so far forget his high rank, reputation, and connections, as to come forward and tell a deliberate untruth. Some allowances should be made for the embarrassment of a man educated as he had been (having served in the army from the age of fourteen) on appearing at their bar to confront all the wisdom of the House. The motives which impelled him to come forward to correct the evidence given on his first examination, appeared to him those of a man awake to the nicest feelings of honour. He (Sir Matthew) had advised him to let it rest, but the General answered—"his advice might be good, but his own ideas of honour, his feelings as a gentleman, would not suffer him to be at ease, till he had avowed and corrected his mistake."

The Chancellor of the Exchequer had imagined, from the notice given by the hon. gentleman, that he did not intend pressing this inquiry on the House, till the case with which it was connected should be decided, he had therefore hoped that when that discussion was put off to a distant day, this inquiry would have stood over, so as still to have been made subsequent to the grand debate. He appealed to the hon. gentleman if it would not be consistent with the ends of justice to postpone any proceedings of this nature for the present. Though Donovan had as yet escaped unpunished, it did not follow that he would not be visited by the resentment of the House. He wished it to be understood, that in his opinion this was not a proper time to make such an inquiry. He was not prepared to say, on which side of the question the evidence of General Clavering preponderated; to him it appeared to bear partly on the one side and partly on the other. He would not make a motion to postpone it, but he put it to the hon. gentleman, whether, considering all the circumstances, it might not be best to withdraw it for the present, giving a notice for next Thursday or Friday. He believed his hon. friend near him (the Attorney General) could furnish him with no precedent where a person had been indicted for prevaricating before that House; nor did he believe one could be preferred in a Court of Justice. He was therefore of opinion, the House should punish conduct, like that attributed to General Clavering, to the utmost extent of their power. But could not the punishment merited be inflicted as well after the case had been brought to an issue? he did not wish to throw a shield over General Clavering, but over the whole mass of evidence

evidence for the present. Why should one be so particularly selected from the rest at this crisis? He was aware that in some instances it might be proper to expose and punish a prevaricating witness, though others, whose prevarications had been greater, were suffered for the time to pass unmolested; but he did not know it to be so in the present case. He felt a disinclination to enter on the subject at present, he was not prepared for the discussion, and hoped the hon. gentleman would not persevere.

Mr. Wilberforce felt convinced that his hon. friend was actuated by the same motives as he was, in wishing to preserve the grand subject free from all extraneous matter, anxious that each question should stand on its own basis. This was not to be a matter of compromise; it should not be, "You spare one, and I will not proceed against the other." But, if he stood in General Clavering's situation, he would wish his evidence to be analyzed, independent of every thing else, if he was innocent; he would not wish to be acquitted because others were, but because he appeared to merit an acquittal. Should the inquiry be made after Wednesday, might it not be supposed that he had been spared by one party, (political parties were out of the question) and proceeded against by the other? He was therefore of opinion they ought to make the inquiry now, when they could enter into the whole of the circumstances relating to General Clavering's evidence.

The Chancellor of the Exchequer said, in explanation, that his hon. friend had misunderstood him; so far was he from meaning to say that the evidence should be compared, that he had distinctly said the reverse, and stated it as his opinion that the question upon evidence of this kind ought to rest on its own grounds.

Mr. Wilberforce, in explanation, said, that he did not charge his right hon. friend with having made any such statement: he said merely that it might be thought so—that this might be the effect of such a proceeding; not that his right hon. friend had said that such ought to be the effect of that proceeding.

Mr. Montague did not think it consistent with the ends of public justice to enter immediately into the inquiry.

Mr. J. Smith thought the punishment inflicted on Captain Sandon, richly merited; he would not compare the case of Sandon to that of General Clavering, they differed materially in his opinion. There were points in Clavering's evidence, from which it should seem his testimony went to invalidate that of another; if so, General Clavering should have taken care to have entered with clean hands himself.

Mr. Whitbread was extremely desirous that there should be no longer delay in adopting the original motion of his hon. friend. It did not seem to him proper, by any means, to withdraw the consideration of such a subject. A right hon. gentleman opposite had stated, that Captain Sandon's prevarication came out in the course of one night's examination; and it appeared that General Clavering had not prevaricated before the second. The hon. member observed, that the operation of this case was irresistible. Sandon's prevarication made an instantaneous impression on the House, and was more easily guarded against, whereas that of General Clavering was the more dangerous, as in case the letters had been destroyed, it would be impossible to detect it. In all probability he would thus have effected what was apparent was his object, the invalidation of principal testimony on the pending question. The hon. member would openly declare it as his opinion, that such was the express purpose for which General Clavering appeared at the bar of the House. He was not perhaps aware that any documents could

be produced against him. He would take it for granted, that if, on the night of General Clavering's prevarication, those documents could be had, the House would feel no hesitation in adopting the steps proposed by the present motion. In answer to observations from the right hon. gentleman opposite he would say, that the general testimony could not be affected by this proceeding. If it were so, he would ask, why was it thought fit to commit Sandon, and bring him from imprisonment to answer questions at the bar? Upon the whole he considered the present motion well founded; and though he felt, that to dismiss it would be improper, he had no objection that it should be adjourned, provided it were not to be a distant day. He trusted his hon. friend would not withdraw his motion.

The CHANCELLOR of the EXCHEQUER said, that he had no objection to this; what he was averse to, was the present discussion.

MR. WILLIAMS WYNNE observed, if it was the general sense of the House, that the matter would be better discussed on a future day, he was willing to acquiesce. He was confident, that in bringing forward the subject he had discharged his duty, and was perfectly content. He therefore would adjourn its consideration to this day se'nnight.

After a few words from MR. WILBERFORCE, upon the propriety of adjourning the debate for some days after the discussion of the general question, it was finally appointed for Tuesday sen'night.

Monday, March 6th.

MR. PERCEVAL informed the House there was a small paper omitted, through mistake, in the printed copies of the evidence taken in the business of the Duke of York; it was the letter of the Duke, containing an inclosure, and having the Dover post mark.

MR. WHITBREAD hoped the letter itself would be forthcoming on the discussion, that it might be seen no alteration had taken place. Indeed upon this ground all the papers should be open to inspection.

Wednesday, March 8.

LORD FOLKSTONE gave notice of his intention, upon the conclusion of the pending motion relative to the conduct of his Royal Highness the Duke of York, to move that it be further considered on Monday sen'night.

His Lordship also moved, "That the Order of the Day for the House being called over should be read;" which being done, he next moved, "That the House should be called over to-morrow."

MR. BERESFORD was against the call hanging over the heads of the members, particularly as many gentlemen were under the necessity of attending the Assizes.

MR. SHAW LEFEVRE considered the necessity of a member attending his duty in Parliament paramount to every other duty, and therefore was of opinion, that on a question which so much interested the public, as that which stood for discussion this evening, a call of the House should take place.

The CHANCELLOR of the EXCHEQUER was of opinion that the call should be made as effectual as possible, and therefore approved of the motion of the noble lord, because he wished that it might not remain as a dead letter. However inconvenient it may be, yet the duty of attending in Parliament was, as had been justly remarked, paramount to all others. He hoped the House, on the subject

subject which was to be discussed this night, would not suffer the opinion of persons out of the House, or in the country, to have any weight with them in their decisions as to the line of conduct they ought to pursue, and that no threat would influence the House, particularly on a judicial inquiry. If the House meant to maintain its own dignity, it would not suffer such menaces to have any effect whatever. If members had particular business, they would have the usual indulgence, but in a general point of view, the attendance on the Assizes was no excuse whatever for keeping alive the call until the question was decided, and that however justified he may be, he would not call their attention further to what he thought very unwarrantable observations from other quarters, because if he did call their attention to the subject alluded to, it must be to bring down the punishment of the House upon the parties.

Mr. Curwen coincided with the right hon. gentleman, and trusted that the censure of threats without doors, would remind some hon. gentlemen within, that all menaces to deter members of Parliament from voting as their consciences dictated, were equally improper.

The motion was then agreed to without a division.

General Gascoyne opposed the motion, but said he should content himself with taking the sense of the House upon it to-morrow.

Mr. Beresford felt it his duty still to oppose the motion, but would certainly urge his objections further to-morrow.

The gallery was then ordered to be cleared for a division, which produced a general cry of *No! No!* when further opposition was dropped, and the motion was agreed to.

On the motion of Colonel Wardle, the Order of the day for taking into further consideration the Report of the Committee upon the conduct of his Royal Highness the Duke of York was read:

Colonel Wardle then rose and addressed the House nearly as follows:—"Fully aware, Sir, of the importance of the subject upon which I am now to address you, in pursuance of my notice, I shall trouble the House with but very few preliminary observations. The evidence being now concluded, and perused by every one, my leading object is to represent the case in that form and manner most conducive to promote a fair and just decision. This I shall endeavour to do, as far as lies in my power, with the utmost impartiality and precision; and I trust I have, upon all occasions, hitherto avoided touching upon any thing that can lead to a contrary inference. I must own that I did feel considerably indignant at the motives that were attributed to me at the outset; motives that were evidently thrown out for the purpose of making it be imagined I was treating his Royal Highness the Commander in Chief with more harshness than was proper or necessary. These insinuations, however, have had but little weight, and I have only now to return my thanks for the favour shewn me, and the general attention I have received from this House, throughout the whole of this investigation. In particular, I do most sincerely thank his Majesty's ministers for the attention they have paid me, and the tenderness they have evinced in regard to my feelings upon an occasion like this, when a most arduous task has been undertaken by an individual. Unaided as I was at the outset of this delicate and important business, I must confess I felt a great deal of comfort in the support I soon afterwards received from the hon. baronet, the member for Westminster (Sir Francis Burdett); but had to lament, that very early in the examination, I had the misfortune to lose, through ill health, the assistance of that hon. and worthy character, a loss which I severely felt. The loss was, in a very great measure, compensated by the acquisition of the abilities and strenuous exertions of my noble friend near me (Lord Folkstone), to whom I think the

sidered it worthy of weight or attention, but for the testimony of Mrs. Clarke, a note was sent out for change; and of Mrs. Bridgeman, that a note was red to her for that purpose. Mrs. Clarke, on being asked as to the time ch elapsed between the application of Dr. Thynne, and the gazetting the hange, says, she cannot tell but that she knows the time of the year. Dr. ynne and Mr. Knight state the period to have been about three weeks, and Knight says he went for the Gazette three times in the whole. There was tainly some difference between these witnesses and Mrs. Clarke upon this nt, but there could be no object in view on either side. It was clear that tnight or three weeks elapsed after the application; and that she used her uence with the Duke of York immediately after that application, could not doubted, when it was recollected that money on her side, and dispatch on rs, was all that was wanted. Mr. R. Knight and Mrs. Clarke were at variance to whether they ever wished the transaction to be kept secret from the Duke York. If she had expressed such a wish, it would have been to tell Mr. ight at once that she swindled him out of two hundred pounds. For he was adled if she had not used her influence with the Duke of York to promote purpose, and if she had used her influence, the Duke of York could not be ant of the matter; and it was folly to desire that to be kept secret from a son which they already were acquainted with. That his Royal Highness was quainted with these and similar transactions, could not be denied, since it was ven by his own hand, when, in writing to Mrs. Clarke, he says, "Chivering mistaken, my angel, in thinking that any new regiments are to be raised; it is intended, only second battalions to the existing corps; *you* had better, there-e, tell him so, and that *you* were sure there would be no use in applying for m." From the tenor of this letter it was clear, that it was a well understood nt, that the name of the Commander in Chief was not to be mentioned on se occasions. *You* are to tell him, but no Duke of York is to be mentioned *you* need not apply for him. To argue, after this, that the Duke of York d not know of these transactions, seemed to him altogether incomprehensible. was unnecessary to go further into the evidence on this case, and he uld now proceed to the written documents upon the table. The application r permitting the exchange was sent in on the 1st July 1805, and marked in ncil marks---"cannot be acceded to, his Royal Highness does not approve of e exchange proposed;" and under the date of 23d July, another memorandum pencil marks appears on the same paper, "His Royal Highness does now ap-rove of this exchange." Col. Gordon, in his examination, stated, that the first emorandum meant no more than that the exchange was to be stopped till in-iry could be made on the subject. On further examination he states, that if e matter was to be considered it might be marked so, or very probably "can-ot be acceded to." This might be understood at the Horse Guards by Col. rdon, who wrote it, but he denied that it carried the same meaning to any her person. That words implying a refusal were the same as these denoting at consideration was required, might be the custom at the Horse Guards, but was sure would be thought widely different all over the kingdom. "His oyal Highness does not approve," would any one say that this could mean he uld cause inquiry to be made, since it must be thought that his Royal High-ss would neither approve nor disapprove till such inquiry was made. He con-lered the first memorandum as a direct and positive negative, and as such it ust appear to every one who considered the meaning of the words. The next cument he had to notice, was the application of Mr. Huskisson for his brother, e answer to which was, that "the exchange with Brevet Lieutenant-Colonel night, 5th Dragoon Guards, has already been determined on, in favour of Bre-et Lieutenant-Colonel Brook, whose services his Royal Highness was of opinion ould not but be favourably considered," &c. He had again to remind them hat Colonel Brook's services were to recommend him to this consideration. welve years in the army, seven of which were on half-pay, and this the very ason assigned by Col. Gordon as the grounds for stopping the exchange for a onsiderable time. These services were known to be the same then as they were ow, when his Royal Highness said they must be favourably considered. What ould create so great a distinction? Col. Gordon could not recollect what account had obtained on his inquiries into Colonel Brook's services, nor from whom got any *intelligece on that head*, which must appear a little extraordinary to

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country must feel much indebted. To him I consider myself under the strongest obligations; for, at the very moment when it was thought by many that some degree of odium was likely to attach to the accuser, he not only assisted me with his able exertions, but chose voluntarily to place himself in what was exactly my situation. There is nothing, however, in which I more rejoice, than that his Royal Highness has had in this case the most able assistance in defending the charges brought against him. His Majesty's ministers and the crown lawyers, all thought it their duty to support him. This they did openly and avowedly; and I am glad that they did so; for it must convince the world, that every thing has been done for the Commander in Chief that could have been done. Although I give every credit to those right honourable and learned gentlemen, for the arduous and strenuous support they have afforded his Royal Highness the Duke of York, yet still I must observe, that, as representatives of the people, they, as well as others of us here assembled, should remember, that it is their duty to maintain the rights of the people as well as the rights of the crown. I trust, Sir, that whatever may have been their anxiety for an exculpation of this royal personage, the event of this inquiry will evince their sense of the duty they owe to their country; on that I rely, and shall now proceed to offer some remarks upon the evidence that has been taken at your bar.

EXCHANGE BETWEEN LIEUTENANT-COLONELS KNIGHT AND BROOK.

The first case to which he had to call the attention of the House was the exchange between Colonels Knight and Brook, the necessary evidence in which he would briefly run over. Dr. Thynne stated his being empowered by Mr. R. Knight to offer Mrs. Clarke 200*l.* for the use of her influence with the Commander in Chief to expedite this exchange, and that he actually made this offer to Mrs. Clarke, giving her the names of the parties on a slip of paper for that purpose. Mr. R. Knight corroborated this statement, and added, that the 200*l.* was paid on the exchange appearing in the Gazette. And Mrs. Clarke's evidence proved, besides corroborating the testimony of these two witnesses, that she had made a communication on the subject, and given him the slip of paper with the names upon it. From the united testimony of these witnesses, he thought it must be agreed that 200*l.* was offered to Mrs. Clarke for her influence, and paid to her in consequence of a belief in the parties, that it was beneficially exerted. The next consideration was—"Did she make this communication to the Duke of York?" Mrs. Clarke stated, that she gave him the slip of paper with the names mentioned by Dr. Thynne, which was a strong corroboration of the fact. These minute statements, he had to observe, were unnecessary for any purpose the witness might be supposed to entertain, and needed not have been brought forward unless she had perfectly recollected them. A general statement would have suited much better, without exposing her to be involved in contradiction, by cross-examination. Mrs. Clarke also stated, that the Duke of York replied to her propositions in favour of these gentlemen, that they had long been trying, and that one of them was rather a bad subject. Both these circumstances were proved by the case. That they had been long applying, appeared from the official documents; and that Col. Brook was a bad subject, was clear from the evidence of Col. Gordon. He had served twelve years, of which he had been a cornet of dragoons only four months, and seven years upon half-pay. This was sufficient to make the Duke of York think him unqualified to command a regiment of cavalry, and without strong reasons he never could have acceded to such a request. The account given by Mrs. Clarke of the Duke of York's going out of town, was corroborated by Col. Gordon. At this time, she stated, it was, that she thought the 100*l.* note was changed by his Royal Highness's servant. Peirson, her butler, states, that he received it the night before his Royal Highness left town, in his presence, and got it changed at Bridgeman's. Mrs. Bridgeman states, that Peirson offered a large note to her to be changed, but that she could not do it. In a conversation that Peirson had, he states, that he procured change at Stevens's, in Bond-street.—He (Mr Wardle) admitted, that this statement was confused, and he would not have considered

ered it worthy of weight or attention, but for the testimony of Mrs. Clarke, note was sent out for change; and of Mrs. Bridgeman, that a note was l to her for that purpose. Mrs. Clarke, on being asked as to the time elapsed between the application of Dr. Thynne, and the gazetting the ige, says, she cannot tell but that she knows the time of the year. Dr. e and Mr. Knight state the period to have been about three weeks, and night says he went for the Gazette three times in the whole. There was ly some difference between these witnesses and Mrs. Clarke upon this but there could be no object in view on either side. It was clear that ight or three weeks elapsed after the application; and that she used her ice with the Duke of York immediately after that application, could not ubted, when it was recollected that money on her side, and dispatch on was all that was wanted. Mr. R. Knight and Mrs. Clarke were at variance whether they ever wished the transaction to be kept secret from the Duke rk. If she had expressed such a wish, it would have been to tell Mr. t at once that she swindled him out of two hundred pounds. For he was ed if she had not used her influence with the Duke of York to promote rpose, and if she had used her influence, the Duke of York could not be nt of the matter; and it was folly to desire that to be kept secret from a which they already were acquainted with. That his Royal Highness was nted with these and similar transactions, could not be denied, since it was n by his own hand, when, in writing to Mrs. Clarke, he says, "Clavering aken, my angel, in thinking that any new regiments are to be raised; it is tended, only second battalions to the existing corps; *you* had better, there- tell him so, and that *you* were sure there would be no use in applying for

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gentlemen when they recollected the minutiæ which, at such a distance of time, appeared to be quite familiar to his memory. What was it, he would ask, that made an officer eligible to command a regiment of cavalry. He must, by the regulations of the Duke of York himself, have served six years in the cavalry. Colonel Brook had only served five years in all, deducting the seven in which he was on half-pay. This militated strongly against the proof adduced in this case for His Royal Highness. Such a circumstance as the appointment of Col. Brook to be a cavalry field officer might have happened without his knowledge, but here his services had been expressly inquired into. Colonel Gordon argued, if he might apply that word, that Colonel Brook was fit for the rank. He did not deny that he might be a meritorious and deserving officer, but how could Colonel Gordon know that he would make an admirable officer, at the time he ventured to recommend him to the Commander in Chief, if ever he did so. He now turned to the point from whence he set out, and thought it impossible to come to any other conclusion than the one he had laid down. He would, therefore, not trespass any further on the House in this part of his charge.

CAPTAIN MALING.

The next case he had to notice was that of Captain Maling, and gentlemen would recollect, that as it was found his charge would not attach in this instance, he had been willing to give it up, and it was only at the desire of the Committee that it went on. Yet though there were no proofs of corruption in this case, there was ample room for censure. Colonel Gordon allowed that many of Captain Maling's seniors were ready to purchase, at the time he was allowed to do so over their heads, and all the claims stated for him for this distinction in his favor was, his unexceptionable conduct in the office of the Commander in Chief. Was this sufficient to recommend him over men equally gentlemen, who had bled for their country, and were older in the service than he was? He wished to know if it was not blameable, if not corrupt in the Commander in Chief, to give him this extraordinary promotion for the reasons assigned. There was also another Captain Maling in the Duke of York's office, represented as equally assiduous, attentive and valuable in his situation, who it did not appear ever joined any regiment. Colonel Gordon had recommended him to the Duke of York to be put upon half-pay. He had got to a company over the heads of many a good officer, without service, and what then was his title to induce Col. Gordon to give him this recommendation? By an act of Parliament, which he had never heard was repealed, no officer could be placed on half-pay unless he had joined his regiment and been in service; and thus recommending Capt. Maling to the half-pay, was still worse than making him a Captain. No man was more disposed than he was to restrain the Commander in Chief from having the power to reward merit, but that power ought to be deferred, for wherever it was not, gross abuses and malpractices would prevail. The army might be gratified by seeing splendid actions, or great services rewarded, by their performers being put over the heads of those before them, but they never could endure to see this done for persons from the office of Colonel Gordon. The case of Colonel Gordon himself was a proof of these abuses. His services might have deserved a reward, but he would not go so far as to say, he ought to have been rewarded at the expence and to the injury of several hundred deserving officers. He would not go so far as to say, that he ought to have got a regiment in preference to numerous Brigadier Generals, Colonels, and senior Lieutenant-Colonels. He did not think he deserved so much, and now that gentlemen had had time to reflect on these matters, they would see in these things a great abuse of a power which ought not to be vested in any Commander in Chief whatever.

COLONEL FRENCH's LEVY.

The next case to which he called their serious attention was the very strong one of Colonel French's Levy. The first witness in this was Capt. Huxley Sandon, whose evidence went to shew that he had an interest in the Levy, and applied to Mrs. Clarke to use her interest with the Commander in Chief, not only for the original letter of service, but for many favourable alterations in it, during the progress of many months. He then stated Mr. Corri's evidence, that he received 200*l.* for the introduction of the parties to Mrs. Clarke, and that he told Sandon, Mrs. Clarke said she could recommend no one but persons of

of character, whose business might go through the War-Office like others. Dowler's evidence was the next; who remonstrated with Mrs. Clarke for engaging in such affairs, and was answered by her, that she did so on account of the Duke of York being distressed for money. Grant, the agent for the Levy, spoke to the fact of French wishing to procure a loan of 5000*l.* for the Duke of York. Mrs. Clarke, to the negociation for her influence, and her receiving the money. Miss Taylor, to the conversation she was present at when His Royal Highness asked Mrs. Clarke how French behaved to her, &c. and Dockery to the payment of 500*l.* for plate, to Birkett and Co. From all these corroborating circumstances, it must in his opinion be granted, that a fee was offered to Mrs. Clarke, accepted and paid, in consequence of the parties believing she had performed them a service by means of her influence with the Commander in Chief. The next point to be considered was, whether Mrs. Clarke possessed the influence ascribed to her, and used it in this instance. Mr. Grant, Dowler, and Sandon agreed on this point, and Mrs. Clarke stated, that she gave the notes she received from Colonel French to the Duke of York. For months they were in the habit of sending her money for the favours she procured for them, for which it was clear that she possessed this influence, and used it in their behalf. Here he should call the attention of the House to Mrs. Clarke's letters to Capt. Sandon. The first letter deserving of notice, was that in which Mrs. Clarke tells Sandon, she had presented the papers to the Duke of York, who would comply with his request, and telling him to call at the War-Office, for an answer. From this it appeared, that Mrs. Clarke knew from the Duke of York, what was to be done at the office, and seemed as well aware that the official course was to be attended to, as Col. Gordon himself. Letter 31st, "I hope you will attend the Duke to-day, as Clipton leaves him on Thursday, and he has all your writings in hand: he will not leave his office till six." From this, the hon. gentleman contended it was clear, that Mrs. Clarke had a direct communication with the office, through the Duke of York, otherwise how could she tell what General Clinton was doing. Letter 39, stating that "an answer was left out at the office for Col. French, and that now he had dropped three guineas per man," could not have been known to Mrs. Clarke but through the Commander in Chief. In letter 11, Mrs. Clarke informs Sandon, that he was "to have the bounty that Pitt is to give to the line," which she could not have been informed of but by the Commander in Chief. In letter 8, he maintained she appeared as a direct agent for the Duke of York, telling Sandon "to get on faster with his men," and to "send her" documents of the exact number sent, in order to shew them to the Commander in Chief. On letter 10, the hon. gentleman observed, it was very natural for Mrs. Clarke to suppose that Mr. Greenwood, if he saw Sandon at the Opera acquainted with her, would imagine that he had some influence with her, and by mentioning it to the Duke of York place him in an aukward situation, and perhaps oblige him to give up the Levy, which would be injurious to both parties. Of letter 6, he observed, that it was a peculiar circumstance that no documents were to be found on the table relative to the subject of which it treated, namely, a German Levy. Though there were no official documents to shew by what authority Col. French undertook to raise men in Germany, certain it was, and he could prove it, that he had sent recruiting parties to that country.—If therefore no official authority for doing so could be shewn, and it could be proven that he actually did this, then it was clear he did it on the authority of Mrs. Clarke alone, or of the Duke of York through her, as directed in this letter. By this it was seen that Mrs. Clarke examined proposals for raising one thousand men in Germany, and made a report thereon to the Duke of York, acting, in this instance, in the capacity of Commander in Chief herself. It was also clear, that she had done so from this circumstance, that she desired Sandon to wait upon the Duke of York to talk over these very alterations. She represents herself as having suggested them to him, which she would not have done unless she had really held such a conversation. The next letter (No. 15), stated that the Duke of York was "very angry with you (Sandon) for when he last saw you, you promised him 300 foreigners, and you have not produced one. O yes, Mr. Sandon is a pretty fellow *to depend on.*" This was a positive proof that the German recruiting was carried on with the knowledge

ledge of the Duke of York. It was also a proof of Mrs. Clarke's knowledge of the proposals made by Sandon to the Commander in Chief, which she must have been made acquainted with by his Royal Highness. After these letters, in addition to the evidence heard at the bar, there could be no doubt on the mind of any one, that Mrs. Clarke possessed influence over the Commander in Chief, and used it on this occasion.

The next point to be examined was, whether the Commander in Chief knew of Mrs. Clarke's receiving pecuniary consideration for the use of her influence. Mrs. Clarke asserts that she told him, but he would suppose that such was not the case. For a long time applications without end were made; and he would ask, was it possible for His Royal Highness to assign any other reason for her continued exertion and interference, but that she received a pecuniary reward for her labours. He would have asked her why she interested herself so much for Colonel French's Levy, and what were her motives for wishing so earnestly to procure all the alterations required. What answer could she have given to such interrogation but the true one, that she received money for her influence. If she said it was her friendship for the parties that induced her thus warmly to espouse their cause, such a declaration would not have been very satisfactory to the Duke of York. From this he inferred, that His Royal Highness must have made such an inquiry, and would have been satisfied with no answer but the true one, that a beneficial consideration was paid to Mrs. Clarke for her services. Money was sent to her for this transaction at all times, without concealment or reserve, and not at all as it would have been, had Mrs. Clarke been afraid of its coming to the knowledge of the Duke of York. It also appeared from the evidence of Mrs. Clarke and Mr. Dowler, that a loan of 5,000*l.* was negociated for His Royal Highness himself, which had not much the appearance of a wish to conceal these things from him. Another point which evinced the Duke of York's knowledge of this traffic was, that the expenditure of the establishments at Gloucester-Place and Weybridge, exceeded the mode of supply. This was to be attended to in every part of the question. Miss Taylor's evidence was also so natural and conclusive, that if it did not carry conviction with it, he would be ready to give up his cause:—"French worries me continually about the Levy business, and is always wanting something more in his own favour. How does he behave to you, darling?" To which Mrs Clarke answers, "Middling: not very well;" and his Royal Highness rejoins, "Master French must mind what he is about, or I shall cut him up and his Levy too." Even if unsupported by any other proof, he would think upon this testimony alone the point incontrovertible. But there were other strongly corroborating circumstances, which would of themselves establish this case. The payment of the service of plate might be thought sufficient for that purpose. Mrs. Clarke paid 500*l.* of this, and the Duke of York paid the remainder by his own bills. Mrs. Clarke said she paid this 500*l.* from the money she received from Colonel French, and it appeared from the documents on the table, that the letter of service for which French gave her at once 500 guineas, was dated the 30th of April, and she paid the sum of 500*l.* to Birkett on the 18th of May following. No attempt was made on the other side, to shew that she had received a sum to this amount from the Duke of York about the time, and it was evident that he must have been aware of her having made this payment for the plate, of which he paid the remainder. It was very natural that he should wish to know where she got the 500*l.* and doubtless he did know precisely from whence it came. He had again to advert to the loan of 5000*l.* which Mrs. Clarke never could have negociated without the knowledge of the Duke of York, as it would have been absolute folly to proceed with that which could not be brought to a conclusion, without his becoming a principal party in it by giving the proper security, and still think it necessary to be kept a secret from him. The next point arose from the official documents on the table.—Colonel French made a regular application, and obtained a letter of service to raise 5000 men in thirteen months, with power to Government to discontinue the Levy, if 4000 men were not raised by it in nine months. Seven months after the date of the letter of service only 200 men were raised, and the bounty was advanced. By a letter, dated Jan. 15, 1805, Colonel French makes a heavy complaint against Brig.-General Taylor, who was at the head of the recruiting service in

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